

As Reported by the Senate Judiciary Committee

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Sub. H. B. No. 305

Representatives Stewart, Brown

Cosponsors: Representatives Baker, Bird, Brewer, Claggett, Click, Dell'Aquila, Galonski, Grim, Gross, Isaacsohn, Jarrells, John, Kick, Klopfenstein, Lampton, LaRe, Lightbody, Lipps, McNally, Miller, A., Miller, J., Miranda, Mohamed, Plummer, Skindell, Somani, Upchurch, Weinstein, Williams, Willis, Young, T., Hillyer, Mathews, Abrams, Barhorst, Brennan, Brent, Creech, Cross, Cutrona, Dobos, Forhan, Fowler Arthur, Hall, Humphrey, Johnson, Jones, Liston, Lorenz, McClain, Miller, K., Miller, M., Oelslager, Patton, Pavliga, Peterson, Robb Blasdel, Russo, Stein, Thomas, C., White, Wiggam

Senator Manning

A BILL

To amend sections 9.03, 120.54, 181.21, 325.33,	1
345.13, 517.23, 1317.07, 1901.02, 1901.123,	2
1901.261, 1907.11, 1907.143, 1907.261, 2303.081,	3
2303.201, 2505.02, 2929.20, 2967.26, 3517.01,	4
3517.10, 3517.12, 3517.13, 3517.155, 3517.992,	5
3517.993, 4507.112, 4509.101, and 4517.261; to	6
enact new section 135.032 and sections 181.26,	7
1901.313, 1907.202, and 3109.055; and to repeal	8
sections 135.032 and 135.321 of the Revised Code	9
to address the laws governing financial and	10
administrative matters of the courts, judgeships	11
and court jurisdiction in Conneaut and Ashtabula	12
County, appeals related to enforcement of state	13
law, conciliation in family law proceedings, the	14
use of financial assistance by legal aid	15
societies, allocation of funds to the Indigent	16
Support Defense Fund, political subdivision	17

soldiers' memorials, maintenance of a mausoleum 18
or columbarium, third-party administration of 19
driving tests, motor vehicle documentary service 20
charges, and public depositories; to establish a 21
standing juvenile committee of the Criminal 22
Sentencing Commission; to prohibit chartered 23
counties and municipal corporations from using 24
public funds for certain purposes; to modify the 25
Campaign Finance Law; and to reiterate the 26
effective date of judicial release and 27
transitional control provisions enacted in S.B. 28
288 of the 134th General Assembly. 29

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

Section 1. That sections 9.03, 120.54, 181.21, 325.33, 30
345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 1907.11, 31
1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 2929.20, 32
2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, 3517.992, 33
3517.993, 4507.112, 4509.101, and 4517.261 be amended and new 34
section 135.032 and sections 181.26, 1901.313, 1907.202, and 35
3109.055 of the Revised Code be enacted to read as follows: 36

Sec. 9.03. (A) As used in this section: 37

(1) "Political subdivision" means any body corporate and 38
~~politic, except a municipal corporation that has adopted a~~ 39
~~charter under Section 7 of Article XVIII, Ohio Constitution, and~~ 40
~~except a county that has adopted a charter under Sections 3 and~~ 41
~~4 of Article X, Ohio Constitution,~~ to which both of the 42
following apply: 43

(a) It is responsible for governmental activities only in 44
a geographic area smaller than the state. 45

(b) It is subject to the sovereign immunity of the state. 46

(2) "Cigarettes" and "tobacco product" have the same 47
meanings as in section 5743.01 of the Revised Code. 48

(3) "Transaction" has the same meaning as in section 49
1315.51 of the Revised Code. 50

(4) "Campaign committee," "campaign fund," "candidate," 51
"legislative campaign fund," "political action committee," 52
"political committee," "political party," and "separate 53
segregated fund" have the same meanings as in section 3517.01 of 54
the Revised Code. 55

(B) Except as otherwise provided in division (C) of this 56
section, the governing body of a political subdivision may use 57
public funds to publish and distribute newsletters, or to use 58
any other means, to communicate information about the plans, 59
policies, and operations of the political subdivision to members 60
of the public within the political subdivision and to other 61
persons who may be affected by the political subdivision. 62

(C) Except as otherwise provided in division (A) (7) of 63
section 340.03 of the Revised Code, no governing body of a 64
political subdivision shall use public funds to do any of the 65
following: 66

(1) Publish, distribute, or otherwise communicate 67
information that does any of the following: 68

(a) Contains defamatory, libelous, or obscene matter; 69

(b) Promotes alcoholic beverages, cigarettes or other 70
tobacco products, or any illegal product, service, or activity; 71

(c) Promotes illegal discrimination on the basis of race, 72
color, religion, national origin, disability, age, or ancestry; 73

(d) Supports or opposes any labor organization or any 74
action by, on behalf of, or against any labor organization; 75

(e) Supports or opposes the nomination or election of a 76
candidate for public office, the investigation, prosecution, or 77
recall of a public official, or the passage of a levy or bond 78
issue. 79

(2) Compensate any employee of the political subdivision 80
for time spent on any activity to influence the outcome of an 81
election for any of the purposes described in division (C) (1) (e) 82
of this section. Division (C) (2) of this section does not 83
prohibit the use of public funds to compensate an employee of a 84
political subdivision for attending a public meeting to present 85
information about the political subdivision's finances, 86
activities, and governmental actions in a manner that is not 87
designed to influence the outcome of an election or the passage 88
of a levy or bond issue, even though the election, levy, or bond 89
issue is discussed or debated at the meeting. 90

(D) Except as otherwise provided in division (A) (7) of 91
section 340.03 of the Revised Code or in division (E) of this 92
section, no person shall knowingly conduct a direct or indirect 93
transaction of public funds to the benefit of any of the 94
following: 95

(1) A campaign committee; 96

(2) A political action committee; 97

(3) A legislative campaign fund; 98

(4) A political party; 99

(5) A campaign fund;	100
(6) A political committee;	101
(7) A separate segregated fund;	102
(8) A candidate.	103
(E) Division (D) of this section does not prohibit the	104
utilization of any person's own time to speak in support of or	105
in opposition to any candidate, recall, referendum, levy, or	106
bond issue unless prohibited by any other section of the Revised	107
Code.	108
(F) Nothing in this section prohibits or restricts any	109
political subdivision from sponsoring, participating in, or	110
doing any of the following:	111
(1) Charitable or public service advertising that is not	112
commercial in nature;	113
(2) Advertising of exhibitions, performances, programs,	114
products, or services that are provided by employees of a	115
political subdivision or are provided at or through premises	116
owned or operated by a political subdivision;	117
(3) Licensing an interest in a name or mark that is owned	118
or controlled by the political subdivision.	119
(G) Whoever violates division (D) of this section shall be	120
punished as provided in section 3599.40 of the Revised Code.	121
Sec. 120.54. (A) A legal aid society that receives	122
financial assistance from the legal aid fund under section	123
120.53 of the Revised Code shall use the financial assistance	124
for only the following purposes:	125
(1) To defray the costs of providing legal services to	126

indigents; 127

(2) To provide legal training and legal technical 128
assistance to other eligible legal aid societies; and 129

(3) If the legal aid society has entered into an agreement 130
pursuant to division (H) of section 120.53 of the Revised Code 131
and in accordance with the description and list of conditions 132
set forth in its application pursuant to division (B) (9) of that 133
section, to provide funds for the services, programs, training, 134
and legal technical assistance provided to the legal aid society 135
under the contract. 136

(B) No financial assistance received by a legal aid 137
society from the legal aid fund pursuant to section 120.53 of 138
the Revised Code shall be used for the provision of legal 139
services in ~~relation to~~ any criminal case or proceeding or in 140
~~relation to~~ the provision of legal assistance in any fee 141
generating case. 142

Sec. 135.032. (A) For the purposes of this section, 143
"institution" means an institution eligible to become a public 144
depository under section 135.03 or 135.32 of the Revised Code or 145
an eligible credit union, as defined in section 135.62 of the 146
Revised Code. 147

(B) An institution designated as a public depository under 148
this chapter shall notify each governing board that made such 149
designation if the institution becomes party to an active prompt 150
corrective action directive issued by a regulatory authority of 151
the United States. 152

(C) Except as otherwise provided in division (D) of this 153
section, an institution is ineligible to become a public 154
depository under this chapter or to have active, interim, or 155

inactive deposits awarded, placed, purchased, made, or 156
designated pursuant to this chapter, if the institution is party 157
to an active prompt corrective action directive issued by a 158
regulatory authority of the United States. 159

(D) If a governing board receives notice under division 160
(B) of this section, or otherwise becomes aware that an 161
institution the board designated as a public depository is party 162
to an active prompt corrective action directive issued by a 163
regulatory authority of the United States, the board may do 164
either or both of the following, if the board determines that it 165
is in the public interest: 166

(1) Allow the public depository to continue to have 167
active, interim, or inactive deposits awarded, placed, 168
purchased, made, or designated for the remainder of the 169
designation period; 170

(2) Designate the institution as a public depository for 171
additional succeeding designation periods. 172

(E) If a governing board determines that one or both of 173
the actions permitted by division (D) of this section are in the 174
public interest, and public moneys are lost due to the failure 175
of the public depository subject to the active prompt correction 176
directive, all of the following are relieved from any liability 177
for that loss: 178

(1) The governing board's treasurer and deputy treasurer; 179

(2) An executive director, director, or other person 180
employed by the governing board, its treasurer, or its deputy 181
treasurer; 182

(3) Bondspersons and surety of any person described in 183
divisions (E) (1) and (2) of this section. 184

Sec. 181.21. (A) There is hereby created within the 185
supreme court the state criminal sentencing commission, 186
consisting of thirty-one members. One member shall be the chief 187
justice of the supreme court, who shall be the chairperson of 188
the commission. The following ten members of the commission, no 189
more than six of whom shall be members of the same political 190
party, shall be appointed by the chief justice: one judge of a 191
court of appeals, three judges of courts of common pleas who are 192
not juvenile court judges, three judges of juvenile courts, and 193
three judges of municipal courts or county courts. Four members 194
shall be the superintendent of the state highway patrol, the 195
state public defender, the director of youth services, and the 196
director of rehabilitation and correction, or their individual 197
designees. The following twelve members, no more than seven of 198
whom shall be members of the same political party, shall be 199
appointed by the governor after consulting with the appropriate 200
state associations, if any, that are represented by these 201
members: one sheriff; two county prosecuting attorneys, at least 202
one of whom shall be experienced in the prosecution of cases in 203
juvenile court involving alleged delinquent children, unruly 204
children, and juvenile traffic offenders; two peace officers of 205
a municipal corporation or township, at least one of whom shall 206
be experienced in the investigation of cases involving 207
juveniles; one former victim of a violation of Title XXIX of the 208
Revised Code; one attorney whose practice of law primarily 209
involves the representation of criminal defendants; one member 210
of the Ohio state bar association; one attorney whose practice 211
of law primarily involves the representation in juvenile court 212
of alleged delinquent children, unruly children, and juvenile 213
traffic offenders; one full-time city prosecuting attorney; one 214
county commissioner; and one mayor, city manager, or member of a 215
legislative authority of a municipal corporation. Two members 216

shall be members of the senate, one appointed by the president 217
of the senate and one appointed by the minority leader of the 218
senate. Two members shall be members of the house of 219
representatives, one appointed by the speaker of the house of 220
representatives and one appointed by the minority leader of the 221
house of representatives. 222

The chief justice shall become a member of the commission 223
on August 22, 1990, and the chief justice's successors in office 224
shall become members of the commission on the day that they 225
assume the office of chief justice. The term of office of the 226
chief justice as a member of the commission shall continue for 227
as long as that person holds the office of chief justice. The 228
term of office of the member who is an attorney whose practice 229
of law primarily involves the representation of criminal 230
defendants, the term of office of the member who is an attorney 231
whose practice of law primarily involves the representation in 232
juvenile court of alleged delinquent children, unruly children, 233
and juvenile traffic offenders, and the term of office of the 234
former victim of a violation of Title XXIX of the Revised Code 235
shall be four years. The term of office of the superintendent of 236
the state highway patrol, the state public defender, the 237
director of youth services, and the director of rehabilitation 238
and correction, or their individual designees, as members of the 239
commission shall continue for as long as they hold the office of 240
superintendent of the state highway patrol, state public 241
defender, director of youth services, or director of 242
rehabilitation and correction. The term of office of a municipal 243
corporation or township peace officer as a member of the 244
commission shall be the lesser of four years or until that 245
person ceases to be a peace officer of a municipal corporation 246
or township. Unless the full-time city prosecuting attorney is 247

an elected official, the term of office of the full-time city
prosecuting attorney shall be the lesser of four years or until
the full-time city prosecuting attorney ceases to be a full-time
city prosecuting attorney. All of the members of the commission
who are elected officials shall serve the lesser of four years
or until the expiration of their term of office. Any vacancy on
the commission shall be filled in the same manner as the
original appointment.

When the chief justice and governor make their
appointments to the commission, they shall consider adequate
representation by race and gender.

(B) The commission shall select a vice-chairperson and any
other necessary officers and adopt rules to govern its
proceedings. The commission shall meet as necessary at the call
of the chairperson or on the written request of eight or more of
its members. Sixteen members of the commission constitute a
quorum, and the votes of a majority of the quorum present shall
be required to validate any action of the commission. All
business of the commission shall be conducted in public
meetings.

The members of the commission shall serve without
compensation, but each member shall be reimbursed for the
member's actual and necessary expenses incurred in the
performance of the member's official duties on the commission.
In the absence of the chairperson, the vice-chairperson shall
perform the duties of the chairperson.

(C) The commission shall establish an office and shall
appoint and fix the compensation of a project director and any
other employees necessary to assist the commission in the
execution of its authority under sections 181.21 to 181.25 of

the Revised Code. The project director shall have a thorough 278
understanding of the criminal laws of this state and experience 279
in committee-oriented research. The other employees may include 280
a research coordinator with experience and training in policy- 281
oriented research; professional staff employees with backgrounds 282
in criminal law, criminal justice, political science, or related 283
fields of expertise; administrative assistants; and secretaries. 284
The commission also may appoint and fix the compensation of 285
part-time data collectors, clerical employees, and other 286
temporary employees as needed to enable the commission to 287
execute its authority under sections 181.21 to 181.25 of the 288
Revised Code. 289

(D) (1) The sentencing commission shall establish a 290
standing juvenile committee. The committee may consist of the 291
following commission members: 292

(a) The chief justice of the supreme court or the chief 293
justice's designee; 294

(b) The director of youth services, or the director's 295
designee; 296

(c) The three juvenile court judges; 297

(d) One court of common pleas judge who is not a juvenile 298
court judge; 299

(e) One county prosecuting attorney who is experienced in 300
the prosecution of cases in juvenile court involving alleged 301
delinquent children, unruly children, and juvenile traffic 302
offenders; 303

(f) The attorney whose practice of law primarily involves 304
the representation in juvenile court of alleged delinquent 305
children, unruly children, and juvenile traffic offenders; 306

<u>(g) The former victim of a violation of Title XXIX of the</u>	307
<u>Revised Code;</u>	308
<u>(h) The county commissioner;</u>	309
<u>(i) One legislator from each political party;</u>	310
<u>(j) The sheriff;</u>	311
<u>(k) One municipal corporation or township peace officer</u>	312
<u>who is experienced in the investigation of cases involving</u>	313
<u>juveniles;</u>	314
<u>(l) Any other persons that the chief justice or the</u>	315
<u>chairperson of the committee designates.</u>	316
<u>(2) The members may serve on the committee by designation</u>	317
<u>of the chief justice or the chairperson of the committee.</u>	318
<u>(3) The chief justice shall designate a member to serve as</u>	319
<u>chairperson of the committee. The committee shall select a vice-</u>	320
<u>chairperson and any other necessary officers and adopt rules to</u>	321
<u>govern its proceedings.</u>	322
<u>(4) The committee shall meet as necessary at the call of</u>	323
<u>the chairperson or on the written request of four or more of the</u>	324
<u>committee's members. A majority of the members of the committee</u>	325
<u>constitutes a quorum, and the votes of a majority of the quorum</u>	326
<u>present are required to validate any action of the committee,</u>	327
<u>including recommendations to the commission.</u>	328
<u>(5) The committee and the commission shall comply with</u>	329
<u>section 181.26 of the Revised Code.</u>	330
<u>Sec. 181.26.</u> <u>(A) In addition to its duties set forth in</u>	331
<u>this chapter, the state criminal sentencing commission shall do</u>	332
<u>all of the following:</u>	333

- (1) Review all statutes governing delinquent child, unruly child, and juvenile traffic offender dispositions in this state; 334
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- (2) Review state and local resources, including facilities and programs, used for delinquent child, unruly child, and juvenile traffic offender dispositions and the populations of youthful offenders in the facilities and programs; 336
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- (3) Develop a juvenile justice policy for the state. The policy shall be designed to: 340
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- (a) Assist in the managing of the number of persons in, operation of, and costs of the facilities, the programs, and other resources used in delinquent child, unruly child, and juvenile traffic offender dispositions; 342
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- (b) Further the purposes for disposition under section 2152.01 of the Revised Code; 346
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- (c) Provide greater certainty, proportionality, uniformity, fairness, and simplicity in delinquent child, unruly child, and juvenile traffic offender dispositions while retaining reasonable judicial discretion. 348
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- (B) The commission shall do all of the following: 352
- (1) Assist in the implementation of statutes governing delinquent child, unruly child, and juvenile traffic offender dispositions in this state; 353
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- (2) Monitor the operation of statutes governing delinquent child, unruly child, and juvenile traffic offender dispositions in this state, periodically report to the general assembly on the statutes' operation and the statutes' impact on resources used in delinquent child, unruly child, and juvenile traffic offender dispositions, and recommend necessary changes in the 356
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statutes to the general assembly in the biennial monitoring 362
report described in section 181.25 of the Revised Code; 363

(3) Review all bills that are introduced in the general 364
assembly related to delinquent child, unruly child, and juvenile 365
traffic offender dispositions, determine if those bills are 366
consistent with the juvenile justice policy adopted under 367
division (A) (3) of this section, recommend to the general 368
assembly amendments to those bills if necessary, and assist the 369
general assembly in making legislation consistent with the 370
juvenile justice policy adopted under division (A) (3) of this 371
section. 372

Sec. 325.33. (A) Notwithstanding sections 325.27 and 373
325.31 of the Revised Code, all fees retained by the clerk of 374
courts under Chapters 1548., 4505., and 4519. of the Revised 375
Code, all fees the clerk of courts receives as a third-party 376
administrator of the motor vehicle skills test under section 377
4507.112 of the Revised Code, and all fees the clerk of courts 378
receives in the capacity of deputy registrar under section 379
4503.03 of the Revised Code shall be paid into the county 380
treasury to the credit of the certificate of title 381
administration fund, which is hereby created. Fees credited to 382
the fund shall be used as follows: 383

(1) To pay the costs incurred by the clerk of courts in 384
processing titles under Chapters 1548., 4505., and 4519. of the 385
Revised Code; 386

(2) To pay the clerk of courts an eight thousand dollar 387
annual pay supplement for performing the duties of a deputy 388
registrar if the clerk is not a limited authority deputy 389
registrar, as described in section 4501:1-6-04 of the Ohio 390
Administrative Code. 391

(B) If the board of county commissioners and the clerk of
courts agree that the money in the fund exceeds what is needed
to pay the costs specified in division (A) of this section, the
excess may be transferred to the county general fund and used
for other county purposes. If the board of county commissioners
and the clerk of courts are unable to agree on the amount of any
such excess, the county budget commission shall determine the
amount that will be transferred to the county general fund.

Sec. 345.13. A soldiers' memorial, provided for by section
345.01 of the Revised Code, shall be maintained so as to
commemorate the services of all members and veterans of the
armed forces of the United States. The board of trustees shall
make rules and regulations for the use, administration, and
maintenance of such memorial as is fitting and necessary to
carry out the purposes thereof. The board of trustees may make
rules and regulations for entertainment, retail, educational,
sporting, social, cultural, or arts opportunities at the
memorial.

When such memorial is a building, it shall provide
suitable apartments of sufficient dimensions to commemorate the
soldiers, sailors, marines, and all members of the armed forces
of the United States, so designated by congress, ~~both men and~~
~~women of the county,~~ who have lost their lives while in the
service of the country. Suitable tablets shall be maintained
with the names of such soldiers, sailors, and marines inscribed
thereon. The building may include a public auditorium, music
hall, and recreational facilities.

The board may establish rental fees and other charges for
the use of the memorial, and it may waive any portion of such
charges.

With the approval of the board of county commissioners, 422
the board of trustees may enter into contracts with political 423
subdivisions or nonprofit organizations for the use of other 424
facilities separate and apart from the memorial, and to provide 425
other services. Such use shall adhere to the rules and 426
regulations established by the board of trustees to carry out 427
the purposes of the memorial. 428

Sec. 517.23. (A) Subject to divisions (B), (D), ~~and (E)~~, and (F) 429
of this section, the board of township trustees, the 430
trustees or directors of a cemetery association, or the other 431
officers having control and management of a cemetery or the 432
officer of a municipal corporation who has control and 433
management of a municipal cemetery shall disinter or grant 434
permission to disinter any remains ~~buried~~ interred in the 435
cemetery in either of the following circumstances: 436

(1) Within thirty days after an application for 437
disinterment is filed with the cemetery in accordance with 438
division (A) of section 517.24 of the Revised Code and payment 439
of the reasonable costs and expense of disinterment is made by 440
the following applicants: 441

(a) A designated representative, or successor, to whom the 442
decedent had assigned the right of disposition in a written 443
declaration pursuant to section 2108.70 of the Revised Code and 444
who had exercised such right at the time of the declarant's 445
death; 446

(b) If no designated representative exercised the right of 447
disposition pursuant to section 2108.70 of the Revised Code, the 448
surviving spouse of the decedent who is eighteen years of age or 449
older. 450

(2) On order of a probate court issued under division (B) 451
of section 517.24 of the Revised Code and payment by the person 452
who applied for the order under that division of the reasonable 453
costs and expense of disinterment. 454

(B) No disinterment shall be made pursuant to this section 455
and section 517.24 of the Revised Code if the decedent died of a 456
contagious or infectious disease until a permit has been issued 457
by the board of health of a general health district or of a city 458
health district. This division does not apply to cremated 459
remains. 460

(C) Upon disinterment of remains under division (A) (1) or 461
(2) of this section, the involved board, trustees, directors, 462
other officers, or officer of the municipal corporation shall 463
deliver or cause to be delivered the disinterred remains to the 464
applicant under division (A) (1) of this section or, if the 465
disinterment was pursuant to court order issued under division 466
(B) of section 517.24 of the Revised Code, to the person who 467
applied for the order under that division. 468

(D) The board of township trustees, the trustees or 469
directors of a cemetery association, or the other officers 470
having control and management of a cemetery or the officer of a 471
municipal corporation who has control and management of a 472
municipal cemetery may disinter or grant permission to disinter 473
and, if appropriate, may reinter or grant permission to reinter 474
any remains ~~buried~~ interred in the cemetery to correct an 475
interment error in the cemetery if the board, trustees, 476
directors, other officers, or officer of the municipal 477
corporation comply with the internal rules of the cemetery 478
pertaining to disinterments and if the board, trustees, 479
directors, other officers, or officer of the municipal 480

corporation provide notice of the disinterment to the person who 481
has been assigned or reassigned the rights of disposition for 482
the deceased person under the provisions of section 2108.70 or 483
2108.81 of the Revised Code. The board, trustees, directors, 484
other officers, or officer of the municipal corporation may 485
correct an interment error under this division without a court 486
order or an application by a person. 487

(E) (1) A person who is an interested party and who is 488
eighteen years of age or older and of sound mind may apply to 489
the probate court of the county in which the decedent is ~~buried~~ 490
interred for an order to prevent the applicant under division 491
(A) (1) of this section from having the remains of the decedent 492
disinterred. An application to prevent the disinterment of the 493
remains of the decedent shall be in writing, subscribed and 494
verified by oath, and include all of the following: 495

(a) If applicable, a statement that the applicant assumed 496
financial responsibility for the funeral and ~~burial~~ interment 497
expenses of the decedent; 498

(b) If division (E) (1) (a) of this section is inapplicable 499
relative to the applicant, a statement that the applicant did 500
not assume financial responsibility for the funeral and ~~burial~~ 501
interment expenses of the decedent; 502

(c) A statement that the applicant is eighteen years of 503
age or older and of sound mind; 504

(d) The relationship of the applicant to the decedent; 505

(e) A statement of the applicant's reasons to oppose the 506
disinterment of the remains of the decedent. 507

(2) An applicant for an order to prevent the disinterment 508
of the remains of the decedent under division (E) of this 509

section promptly shall give notice of the filing of the 510
application by certified mail, return receipt requested, to the 511
applicant under division (A) (1) of this section. The notice 512
shall indicate that the applicant has filed an application for 513
an order to prevent the disinterment of the remains of the 514
decedent. 515

~~(F)~~ (F) (1) If the repair or replacement of a mausoleum or 516
columbarium necessitates the disinterment of one or more sets of 517
remains, the board, trustees, directors, other officers, or 518
officer of the municipal corporation, shall file a single 519
application with the probate court in the county where the 520
mausoleum or columbarium is situated for a disinterment order 521
that authorizes the disinterment and reinterment of those 522
affected remains in the mausoleum or columbarium. Upon the 523
filing of the application, the probate court shall schedule a 524
hearing. 525

(2) The board, trustees, directors, other officers, or 526
officer of the municipal corporation promptly shall provide 527
notice to the surviving spouses of the affected decedents and to 528
the persons who have been assigned or reassigned the rights of 529
disposition for the affected remains under the provisions of 530
sections 2108.70 to 2108.90 of the Revised Code. The notice 531
shall state that an application for disinterment has been filed 532
and shall provide the time, date, and location of the hearing. 533
The notice shall be sent by certified mail, return receipt 534
requested, or, if the names or addresses of such persons are 535
unknown and cannot with reasonable diligence be ascertained, the 536
notice shall be made by publication in a newspaper of general 537
circulation in the county where the probate court is located and 538
as otherwise required by the probate court. 539

(3) Upon conducting the hearing, the court shall issue an 540
order of disinterment if all of the following are satisfied: 541

(a) The affected remains shall be held in a permanent or 542
temporary structure on cemetery property that allows for access 543
for visitation during the times that the cemetery's other 544
grounds and facilities are open for visitation, shall be 545
properly identified and held in a secure manner without any 546
commingling of cremated remains, and shall not be held for a 547
period exceeding eighteen months unless an extension of time is 548
granted by the probate court for good cause; 549

(b) If a mausoleum or columbarium is being replaced, the 550
replacement mausoleum or columbarium shall be built on property 551
that is owned by the cemetery and that is either the same 552
property upon which the original mausoleum or columbarium was 553
located or property that is contiguous thereto; 554

(c) The cemetery provided notice as required under 555
division (F) (2) of this section; 556

(d) Upon considering all of the following, the court finds 557
there are one or more compelling reasons to issue the requested 558
order of disinterment: 559

(i) The cost, feasibility, and timetable for the repairs 560
or replacement; 561

(ii) The current condition of the structure to be repaired 562
or replaced; 563

(iii) The location, design, features, and overall quality 564
of the proposed replacement structure; 565

(iv) The input of the persons receiving notice under 566
division (F) (2) of this section. 567

(4) A cemetery is not liable in damages in a civil action 568
if the cemetery changes the specific location of entombment 569
rights or columbarium rights due to the repair or replacement of 570
a mausoleum or columbarium made in accordance with an order 571
issued by the probate court under division (F)(3) of this 572
section. 573

(G) As used in this section and in section 517.24 of the 574
Revised Code: 575

(1) "Cemetery" and "interment" have the same meanings as 576
in section 1721.21 of the Revised Code. 577

(2) "Disinterment" means the recovery of human remains by 578
exhumation, disentombment, or disinurnment. "Disinterment" does 579
not include the raising and lowering of remains to accommodate 580
two interments within a single grave and does not include the 581
repositioning of an outside burial container that encroaches an 582
adjoining burial space. 583

Sec. 1317.07. No retail installment contract authorized by 584
section 1317.03 of the Revised Code that is executed in 585
connection with any retail installment sale shall evidence any 586
indebtedness in excess of the time balance fixed in the written 587
instrument in compliance with section 1317.04 of the Revised 588
Code, but it may evidence in addition any agreements of the 589
parties for the payment of delinquent charges, as provided for 590
in section 1317.06 of the Revised Code, taxes, and any lawful 591
fee actually paid out, or to be paid out, by the retail seller 592
to any public officer for filing, recording, or releasing any 593
instrument securing the payment of the obligation owed on any 594
retail installment contract. No retail seller, directly or 595
indirectly, shall charge, contract for, or receive from any 596
retail buyer, any further or other amount for examination, 597

service, brokerage, commission, expense, fee, or other thing of 598
value, unless the retail seller is otherwise authorized by law 599
to do so. A documentary service charge customarily and presently 600
being paid on May 9, 1949, in a particular business and area may 601
be charged if the charge does not exceed two hundred fifty 602
dollars per sale, except as otherwise authorized by section 603
4517.261 of the Revised Code. 604

No retail seller shall use multiple agreements with 605
respect to a single item or related items purchased at the same 606
time, with intent to obtain a higher charge than would otherwise 607
be permitted by Chapter 1317. of the Revised Code or to avoid 608
disclosure of an annual percentage rate, nor by use of such 609
agreements make any charge greater than that which would be 610
permitted by Chapter 1317. of the Revised Code had a single 611
agreement been used. 612

Sec. 1901.02. (A) The municipal courts established by 613
section 1901.01 of the Revised Code have jurisdiction within the 614
corporate limits of their respective municipal corporations, or, 615
for the Clermont county municipal court, and, effective January 616
1, 2008, the Erie county municipal court, within the municipal 617
corporation or unincorporated territory in which they are 618
established, and are courts of record. Each of the courts shall 619
be styled "_____ municipal court," 620
inserting the name of the municipal corporation, except the 621
following courts, which shall be styled as set forth below: 622

(1) The municipal court established in Chesapeake that 623
shall be styled and known as the "Lawrence county municipal 624
court"; 625

(2) The municipal court established in Cincinnati that 626
shall be styled and known as the "Hamilton county municipal 627

court"; 628

(3) The municipal court established in Ravenna that shall 629
be styled and known as the "Portage county municipal court"; 630

(4) The municipal court established in Athens that shall 631
be styled and known as the "Athens county municipal court"; 632

(5) The municipal court established in Columbus that shall 633
be styled and known as the "Franklin county municipal court"; 634

(6) The municipal court established in London that shall 635
be styled and known as the "Madison county municipal court"; 636

(7) The municipal court established in Newark that shall 637
be styled and known as the "Licking county municipal court"; 638

(8) The municipal court established in Wooster that shall 639
be styled and known as the "Wayne county municipal court"; 640

(9) The municipal court established in Wapakoneta that 641
shall be styled and known as the "Auglaize county municipal 642
court"; 643

(10) The municipal court established in Troy that shall be 644
styled and known as the "Miami county municipal court"; 645

(11) The municipal court established in Bucyrus that shall 646
be styled and known as the "Crawford county municipal court"; 647

(12) The municipal court established in Logan that shall 648
be styled and known as the "Hocking county municipal court"; 649

(13) The municipal court established in Urbana that shall 650
be styled and known as the "Champaign county municipal court"; 651

(14) The municipal court established in Jackson that shall 652
be styled and known as the "Jackson county municipal court"; 653

(15) The municipal court established in Springfield that 654
shall be styled and known as the "Clark county municipal court"; 655

(16) The municipal court established in Kenton that shall 656
be styled and known as the "Hardin county municipal court"; 657

(17) The municipal court established within Clermont 658
county in Batavia or in any other municipal corporation or 659
unincorporated territory within Clermont county that is selected 660
by the legislative authority of that court that shall be styled 661
and known as the "Clermont county municipal court"; 662

(18) The municipal court established in Wilmington that, 663
beginning July 1, 1992, shall be styled and known as the 664
"Clinton county municipal court"; 665

(19) The municipal court established in Port Clinton that 666
shall be styled and known as the "Ottawa county municipal 667
court"; 668

(20) The municipal court established in Lancaster that, 669
beginning January 2, 2000, shall be styled and known as the 670
"Fairfield county municipal court"; 671

(21) The municipal court established within Columbiana 672
county in Lisbon or in any other municipal corporation or 673
unincorporated territory selected pursuant to division (I) of 674
section 1901.021 of the Revised Code, that shall be styled and 675
known as the "Columbiana county municipal court"; 676

(22) The municipal court established in Georgetown that, 677
beginning February 9, 2003, shall be styled and known as the 678
"Brown county municipal court"; 679

(23) The municipal court established in Mount Gilead that, 680
beginning January 1, 2003, shall be styled and known as the 681

"Morrow county municipal court"; 682

(24) The municipal court established in Greenville that, 683
beginning January 1, 2005, shall be styled and known as the 684
"Darke county municipal court"; 685

(25) The municipal court established in Millersburg that, 686
beginning January 1, 2007, shall be styled and known as the 687
"Holmes county municipal court"; 688

(26) The municipal court established in Carrollton that, 689
beginning January 1, 2007, shall be styled and known as the 690
"Carroll county municipal court"; 691

(27) The municipal court established within Erie county in 692
Milan or established in any other municipal corporation or 693
unincorporated territory that is within Erie county, is within 694
the territorial jurisdiction of that court, and is selected by 695
the legislative authority of that court that, beginning January 696
1, 2008, shall be styled and known as the "Erie county municipal 697
court"; 698

(28) The municipal court established in Ottawa that, 699
beginning January 1, 2011, shall be styled and known as the 700
"Putnam county municipal court"; 701

(29) The municipal court established within Montgomery 702
county in any municipal corporation or unincorporated territory 703
within Montgomery county, except the municipal corporations of 704
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 705
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 706
Carrollton and Butler, German, Harrison, Miami, and Washington 707
townships, that is selected by the legislative authority of that 708
court and that, beginning July 1, 2010, shall be styled and 709
known as the "Montgomery county municipal court"; 710

(30) The municipal court established in Tiffin that, 711
beginning January 1, 2014, shall be styled and known as the 712
"Tiffin-Fostoria municipal court"; 713

(31) The municipal court established in New Lexington 714
that, beginning January 1, 2018, shall be styled and known as 715
the "Perry county municipal court"; 716

(32) The municipal court established in Paulding that, 717
beginning January 1, 2020, shall be styled and known as the 718
"Paulding county municipal court"; 719

(33) The municipal court established in Wauseon that, 720
beginning January 1, 2024, shall be styled and known as the 721
"Fulton county municipal court." 722

(B) In addition to the jurisdiction set forth in division 723
(A) of this section, the municipal courts established by section 724
1901.01 of the Revised Code have jurisdiction as follows: 725

The Akron municipal court has jurisdiction within Bath, 726
Richfield, and Springfield townships, and within the municipal 727
corporations of Fairlawn, Lakemore, and Mogadore, in Summit 728
county. 729

The Alliance municipal court has jurisdiction within 730
Lexington, Marlboro, Paris, and Washington townships in Stark 731
county. 732

The Ashland municipal court has jurisdiction within 733
Ashland county. 734

The Ashtabula municipal court has jurisdiction within 735
Ashtabula, Plymouth, and Saybrook townships in Ashtabula county. 736

The Athens county municipal court has jurisdiction within 737
Athens county. 738

The Auglaize county municipal court has jurisdiction	739
within Auglaize county.	740
The Avon Lake municipal court has jurisdiction within the	741
municipal corporations of Avon and Sheffield in Lorain county.	742
The Barberton municipal court has jurisdiction within	743
Coventry, Franklin, and Green townships, within all of Copley	744
township except within the municipal corporation of Fairlawn,	745
and within the municipal corporations of Clinton and Norton, in	746
Summit county.	747
The Bedford municipal court has jurisdiction within the	748
municipal corporations of Bedford Heights, Oakwood, Glenwillow,	749
Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange,	750
Warrensville Heights, North Randall, and Woodmere, and within	751
Warrensville and Chagrin Falls townships, in Cuyahoga county.	752
The Bellefontaine municipal court has jurisdiction within	753
Logan county.	754
The Bellevue municipal court has jurisdiction within Lyme	755
and Sherman townships in Huron county and within York township	756
in Sandusky county.	757
The Berea municipal court has jurisdiction within the	758
municipal corporations of Strongsville, Middleburgh Heights,	759
Brook Park, Westview, and Olmsted Falls, and within Olmsted	760
township, in Cuyahoga county.	761
The Bowling Green municipal court has jurisdiction within	762
the municipal corporations of Bairdstown, Bloomdale, Bradner,	763
Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City,	764
Milton Center, North Baltimore, Pemberville, Portage, Rising	765
Sun, Tontogany, Wayne, West Millgrove, and Weston; within Bloom,	766
Center, Freedom, Grand Rapids, Henry, Jackson, Liberty,	767

Middleton, Milton, Montgomery, Plain, Portage, Washington, 768
Webster, and Weston townships in Wood county; and on and after 769
January 2, 2024, within Perry township in Wood county. 770

Beginning February 9, 2003, the Brown county municipal 771
court has jurisdiction within Brown county. 772

The Bryan municipal court has jurisdiction within Williams 773
county. 774

The Cambridge municipal court has jurisdiction within 775
Guernsey county. 776

The Campbell municipal court has jurisdiction within 777
Coitsville township in Mahoning county. 778

The Canton municipal court has jurisdiction within Canton, 779
Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in 780
Stark county. 781

The Carroll county municipal court has jurisdiction within 782
Carroll county. 783

The Celina municipal court has jurisdiction within Mercer 784
county. 785

The Champaign county municipal court has jurisdiction 786
within Champaign county. 787

The Chardon municipal court has jurisdiction within Geauga 788
county. 789

The Chillicothe municipal court has jurisdiction within 790
Ross county. 791

The Circleville municipal court has jurisdiction within 792
Pickaway county. 793

The Clark county municipal court has jurisdiction within 794

Clark county.	795
The Clermont county municipal court has jurisdiction	796
within Clermont county.	797
The Cleveland municipal court has jurisdiction within the	798
municipal corporation of Bratenahl in Cuyahoga county.	799
Beginning July 1, 1992, the Clinton county municipal court	800
has jurisdiction within Clinton county.	801
The Columbiana county municipal court has jurisdiction	802
within Columbiana county.	803
<u>Beginning January 1, 2025, the Conneaut municipal court</u>	804
<u>has jurisdiction within the municipal corporation of North</u>	805
<u>Kingsville, and within Kingsville, Monroe, and Sheffield</u>	806
<u>townships, in Ashtabula county.</u>	807
The Coshocton municipal court has jurisdiction within	808
Coshocton county.	809
The Crawford county municipal court has jurisdiction	810
within Crawford county.	811
Until December 31, 2008, the Cuyahoga Falls municipal	812
court has jurisdiction within Boston, Hudson, Northfield Center,	813
Sagamore Hills, and Twinsburg townships, and within the	814
municipal corporations of Boston Heights, Hudson, Munroe Falls,	815
Northfield, Peninsula, Reminderville, Silver Lake, Stow,	816
Tallmadge, Twinsburg, and Macedonia, in Summit county.	817
Beginning January 1, 2005, the Darke county municipal	818
court has jurisdiction within Darke county except within the	819
municipal corporation of Bradford.	820
The Defiance municipal court has jurisdiction within	821

Defiance county.	822
The Delaware municipal court has jurisdiction within	823
Delaware county.	824
The Eaton municipal court has jurisdiction within Preble	825
county.	826
The Elyria municipal court has jurisdiction within the	827
municipal corporations of Grafton, LaGrange, and North	828
Ridgeville, and within Elyria, Carlisle, Eaton, Columbia,	829
Grafton, and LaGrange townships, in Lorain county.	830
Beginning January 1, 2008, the Erie county municipal court	831
has jurisdiction within Erie county except within the townships	832
of Florence, Huron, Perkins, and Vermilion and the municipal	833
corporations of Bay View, Castalia, Huron, Sandusky, and	834
Vermilion.	835
The Fairborn municipal court has jurisdiction within the	836
municipal corporation of Beavercreek and within Bath and	837
Beavercreek townships in Greene county.	838
Beginning January 2, 2000, the Fairfield county municipal	839
court has jurisdiction within Fairfield county.	840
The Findlay municipal court has jurisdiction, until	841
January 2, 2024, within all of Hancock county except within	842
Washington township, and on and after January 2, 2024, within	843
all of Hancock county.	844
The Franklin municipal court has jurisdiction within	845
Franklin township in Warren county.	846
The Franklin county municipal court has jurisdiction	847
within Franklin county.	848

The Fremont municipal court has jurisdiction within	849
Ballville and Sandusky townships in Sandusky county.	850
Beginning January 1, 2024, the Fulton county municipal	851
court has jurisdiction within Fulton county.	852
The Gallipolis municipal court has jurisdiction within	853
Gallia county.	854
The Garfield Heights municipal court has jurisdiction	855
within the municipal corporations of Maple Heights, Walton	856
Hills, Valley View, Cuyahoga Heights, Newburgh Heights,	857
Independence, and Brecksville in Cuyahoga county.	858
The Girard municipal court has jurisdiction within	859
Liberty, Vienna, and Hubbard townships in Trumbull county.	860
The Hamilton municipal court has jurisdiction within Ross	861
and St. Clair townships in Butler county.	862
The Hamilton county municipal court has jurisdiction	863
within Hamilton county.	864
The Hardin county municipal court has jurisdiction within	865
Hardin county.	866
The Hillsboro municipal court has jurisdiction within all	867
of Highland county except within Madison township.	868
The Hocking county municipal court has jurisdiction within	869
Hocking county.	870
The Holmes county municipal court has jurisdiction within	871
Holmes county.	872
The Huron municipal court has jurisdiction within all of	873
Huron township in Erie county except within the municipal	874
corporation of Sandusky.	875

The Ironton municipal court has jurisdiction within Aid,	876
Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington	877
townships in Lawrence county.	878
The Jackson county municipal court has jurisdiction within	879
Jackson county.	880
The Kettering municipal court has jurisdiction within the	881
municipal corporations of Centerville and Moraine, and within	882
Washington township, in Montgomery county.	883
Until January 2, 2000, the Lancaster municipal court has	884
jurisdiction within Fairfield county.	885
The Lawrence county municipal court has jurisdiction	886
within the townships of Fayette, Mason, Perry, Rome, Symmes,	887
Union, and Windsor in Lawrence county.	888
The Lebanon municipal court has jurisdiction within	889
Turtlecreek township in Warren county.	890
The Licking county municipal court has jurisdiction within	891
Licking county.	892
The Lima municipal court has jurisdiction within Allen	893
county.	894
The Lorain municipal court has jurisdiction within the	895
municipal corporation of Sheffield Lake, and within Sheffield	896
township, in Lorain county.	897
The Lyndhurst municipal court has jurisdiction within the	898
municipal corporations of Mayfield Heights, Gates Mills,	899
Mayfield, Highland Heights, and Richmond Heights in Cuyahoga	900
county.	901
The Madison county municipal court has jurisdiction within	902

Madison county.	903
The Mansfield municipal court has jurisdiction within	904
Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy,	905
Washington, Monroe, Perry, Jefferson, and Worthington townships,	906
and within sections 35-36-31 and 32 of Butler township, in	907
Richland county.	908
The Marietta municipal court has jurisdiction within	909
Washington county.	910
The Marion municipal court has jurisdiction within Marion	911
county.	912
The Marysville municipal court has jurisdiction within	913
Union county.	914
The Mason municipal court has jurisdiction within	915
Deerfield township in Warren county.	916
The Massillon municipal court has jurisdiction within	917
Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson	918
townships in Stark county.	919
The Maumee municipal court has jurisdiction within the	920
municipal corporations of Waterville and Whitehouse, within	921
Waterville and Providence townships, and within those portions	922
of Springfield, Monclova, and Swanton townships lying south of	923
the northerly boundary line of the Ohio turnpike, in Lucas	924
county.	925
The Medina municipal court has jurisdiction within the	926
municipal corporations of Briarwood Beach, Brunswick, Chippewa-	927
on-the-Lake, and Spencer and within the townships of Brunswick	928
Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield,	929
Liverpool, Medina, Montville, Spencer, and York townships, in	930

Medina county. 931

The Mentor municipal court has jurisdiction within the 932
municipal corporation of Mentor-on-the-Lake in Lake county. 933

The Miami county municipal court has jurisdiction within 934
Miami county and within the part of the municipal corporation of 935
Bradford that is located in Darke county. 936

The Miamisburg municipal court has jurisdiction within the 937
municipal corporations of Germantown and West Carrolllton, and 938
within German and Miami townships in Montgomery county. 939

The Middletown municipal court has jurisdiction within 940
Madison township, and within all of Lemon township, except 941
within the municipal corporation of Monroe, in Butler county. 942

Beginning July 1, 2010, the Montgomery county municipal 943
court has jurisdiction within all of Montgomery county except 944
for the municipal corporations of Centerville, Clayton, Dayton, 945
Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, 946
Union, Vandalia, and West Carrolllton and Butler, German, 947
Harrison, Miami, and Washington townships. 948

Beginning January 1, 2003, the Morrow county municipal 949
court has jurisdiction within Morrow county. 950

The Mount Vernon municipal court has jurisdiction within 951
Knox county. 952

The Napoleon municipal court has jurisdiction within Henry 953
county. 954

The New Philadelphia municipal court has jurisdiction 955
within the municipal corporation of Dover, and within Auburn, 956
Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, 957
Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in 958

Tuscarawas county.	959
The Newton Falls municipal court has jurisdiction within	960
Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington,	961
Farmington, and Mesopotamia townships in Trumbull county.	962
The Niles municipal court has jurisdiction within the	963
municipal corporation of McDonald, and within Weathersfield	964
township in Trumbull county.	965
The Norwalk municipal court has jurisdiction within all of	966
Huron county except within the municipal corporation of Bellevue	967
and except within Lyme and Sherman townships.	968
The Oberlin municipal court has jurisdiction within the	969
municipal corporations of Amherst, Kipton, Rochester, South	970
Amherst, and Wellington, and within Henrietta, Russia, Camden,	971
Pittsfield, Brighton, Wellington, Penfield, Rochester, and	972
Huntington townships, and within all of Amherst township except	973
within the municipal corporation of Lorain, in Lorain county.	974
The Oregon municipal court has jurisdiction within the	975
municipal corporation of Harbor View, and within Jerusalem	976
township, in Lucas county, and north within Maumee Bay and Lake	977
Erie to the boundary line between Ohio and Michigan between the	978
easterly boundary of the court and the easterly boundary of the	979
Toledo municipal court.	980
The Ottawa county municipal court has jurisdiction within	981
Ottawa county.	982
The Painesville municipal court has jurisdiction within	983
Painesville, Perry, Leroy, Concord, and Madison townships in	984
Lake county.	985
The Parma municipal court has jurisdiction within the	986

municipal corporations of Parma Heights, Brooklyn, Linndale,	987
North Royalton, Broadview Heights, Seven Hills, and Brooklyn	988
Heights in Cuyahoga county.	989
Beginning January 1, 2018, the Perry county municipal	990
court has jurisdiction within Perry county.	991
Beginning January 1, 2020, the Paulding county municipal	992
court has jurisdiction within Paulding county.	993
The Perrysburg municipal court has jurisdiction within the	994
municipal corporations of Luckey, Millbury, Northwood, Rossford,	995
and Walbridge, and within Perrysburg, Lake, and Troy townships,	996
in Wood county.	997
The Portage county municipal court has jurisdiction within	998
Portage county.	999
The Portsmouth municipal court has jurisdiction within	1000
Scioto county.	1001
The Putnam county municipal court has jurisdiction within	1002
Putnam county.	1003
The Rocky River municipal court has jurisdiction within	1004
the municipal corporations of Bay Village, Westlake, Fairview	1005
Park, and North Olmsted, and within Riveredge township, in	1006
Cuyahoga county.	1007
The Sandusky municipal court has jurisdiction within the	1008
municipal corporations of Castalia and Bay View, and within	1009
Perkins township, in Erie county.	1010
The Shaker Heights municipal court has jurisdiction within	1011
the municipal corporations of University Heights, Beachwood,	1012
Pepper Pike, and Hunting Valley in Cuyahoga county.	1013

The Shelby municipal court has jurisdiction within Sharon, 1014
Jackson, Cass, Plymouth, and Blooming Grove townships, and 1015
within all of Butler township except sections 35-36-31 and 32, 1016
in Richland county. 1017

The Sidney municipal court has jurisdiction within Shelby 1018
county. 1019

Beginning January 1, 2009, the Stow municipal court has 1020
jurisdiction within Boston, Hudson, Northfield Center, Sagamore 1021
Hills, and Twinsburg townships, and within the municipal 1022
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe 1023
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1024
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1025

The Struthers municipal court has jurisdiction within the 1026
municipal corporations of Lowellville, New Middleton, and 1027
Poland, and within Poland and Springfield townships in Mahoning 1028
county. 1029

The Sylvania municipal court has jurisdiction within the 1030
municipal corporations of Berkey and Holland, and within 1031
Sylvania, Richfield, Spencer, and Harding townships, and within 1032
those portions of Swanton, Monclova, and Springfield townships 1033
lying north of the northerly boundary line of the Ohio turnpike, 1034
in Lucas county. 1035

Beginning January 1, 2014, the Tiffin-Fostoria municipal 1036
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 1037
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 1038
Scipio, Seneca, Thompson, and Venice townships in Seneca county, 1039
and beginning on January 1, 2014, and until January 2, 2024, has 1040
jurisdiction within Washington township in Hancock county, and 1041
within Perry township, except within the municipal corporation 1042

of West Millgrove, in Wood county. 1043

The Toledo municipal court has jurisdiction within 1044
Washington township, and within the municipal corporation of 1045
Ottawa Hills, in Lucas county. 1046

The Upper Sandusky municipal court has jurisdiction within 1047
Wyandot county. 1048

The Vandalia municipal court has jurisdiction within the 1049
municipal corporations of Clayton, Englewood, and Union, and 1050
within Butler, Harrison, and Randolph townships, in Montgomery 1051
county. 1052

The Van Wert municipal court has jurisdiction within Van 1053
Wert county. 1054

The Vermilion municipal court has jurisdiction within the 1055
townships of Vermilion and Florence in Erie county and within 1056
all of Brownhelm township except within the municipal 1057
corporation of Lorain, in Lorain county. 1058

The Wadsworth municipal court has jurisdiction within the 1059
municipal corporations of Gloria Glens Park, Lodi, Seville, and 1060
Westfield Center, and within Guilford, Harrisville, Homer, 1061
Sharon, Wadsworth, and Westfield townships in Medina county. 1062

The Warren municipal court has jurisdiction within Warren 1063
and Champion townships, and within all of Howland township 1064
except within the municipal corporation of Niles, in Trumbull 1065
county. 1066

The Washington Court House municipal court has 1067
jurisdiction within Fayette county. 1068

The Wayne county municipal court has jurisdiction within 1069
Wayne county. 1070

The Willoughby municipal court has jurisdiction within the 1071
municipal corporations of Eastlake, Wickliffe, Willowick, 1072
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, 1073
Timberlake, and Lakeline, and within Kirtland township, in Lake 1074
county. 1075

Through June 30, 1992, the Wilmington municipal court has 1076
jurisdiction within Clinton county. 1077

The Xenia municipal court has jurisdiction within 1078
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, 1079
Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in 1080
Greene county. 1081

(C) As used in this section: 1082

(1) "Within a township" includes all land, including, but 1083
not limited to, any part of any municipal corporation, that is 1084
physically located within the territorial boundaries of that 1085
township, whether or not that land or municipal corporation is 1086
governmentally a part of the township. 1087

(2) "Within a municipal corporation" includes all land 1088
within the territorial boundaries of the municipal corporation 1089
and any townships that are coextensive with the municipal 1090
corporation. 1091

Sec. 1901.123. (A) (1) Subject to reimbursement under 1092
division (B) of this section, the treasurer of the county in 1093
which a county-operated municipal court or other municipal court 1094
is located shall pay the per diem compensation to which an 1095
acting judge appointed pursuant to division (A) (2) (a), (B) (1), 1096
or (C) (1) of section 1901.121 of the Revised Code is entitled 1097
pursuant to division (A) (1) of section 1901.122 of the Revised 1098
Code. 1099

(2) The treasurer of the county in which a county-operated
municipal court or other municipal court is located shall pay
the per diem compensation to which an assigned judge assigned
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D)
of section 1901.121 of the Revised Code is entitled pursuant to
division (B) (1) or (4) of section 1901.122 of the Revised Code.

(3) Subject to reimbursement under division (B) of this
section, the treasurer of the county in which a county-operated
municipal court or other municipal court is located shall pay
the per diem compensation to which an assigned judge assigned
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D)
of section 1901.121 of the Revised Code is entitled pursuant to
division (B) (2) of section 1901.122 of the Revised Code.

(4) Subject to reimbursement under division (C) of this
section, the supreme court shall pay the per diem compensation
to which an assigned judge assigned pursuant to division (A) (1),
(A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the
Revised Code is entitled pursuant to division (B) (3) of section
1901.122 of the Revised Code.

(B) ~~The treasurer of a~~ A county that, pursuant to division
(A) (1) or (3) of this section, is required to pay the per diem
compensation to which an acting judge or assigned judge is
entitled, shall submit to the administrative director of the
supreme court quarterly requests for reimbursements of the state
portion of the per diem amounts so paid. The requests shall
include verifications of the payment of those amounts and an
affidavit from the acting judge or assigned judge stating the
days and hours worked. The administrative director shall cause
reimbursements of the state portion of the per diem amounts paid
to be issued to the county if the administrative director

verifies that those amounts were, in fact, so paid. If the 1130
county fails to submit a request within one year after the per 1131
diem compensation was paid, the administrative director shall 1132
refuse to cause reimbursement to be issued. 1133

(C) If the supreme court, pursuant to division (A) (4) of 1134
this section, is required to pay the per diem compensation to 1135
which an assigned judge is entitled, annually, on the first day 1136
of August, the administrative director of the supreme court 1137
shall issue a billing to the county treasurer of any county to 1138
which such a judge was assigned to a municipal court for 1139
reimbursement of the county or local portion of the per diem 1140
compensation previously paid by the supreme court for the 1141
twelve-month period preceding the last day of June. The county 1142
or local portion of the per diem compensation shall be that part 1143
of each per diem paid by the state which is proportional to the 1144
county or local shares of the total compensation of a resident 1145
judge of such court. The county treasurer shall forward the 1146
payment within thirty days. After forwarding the payment, the 1147
county treasurer shall seek reimbursement from the applicable 1148
local municipalities as appropriate. 1149

Sec. 1901.261. (A) (1) A municipal court may determine that 1150
for the efficient operation of the court additional funds are 1151
required to computerize the court, to make available 1152
computerized legal research services, or to do both. Upon making 1153
a determination that additional funds are required for either or 1154
both of those purposes, the court shall include in its schedule 1155
of fees and costs under section 1901.26 of the Revised Code one 1156
additional fee not to exceed three dollars on the filing of each 1157
cause of action or appeal equivalent to one described in 1158
division (A), (Q), or (U) of section 2303.20 of the Revised Code 1159
and shall direct the clerk of the court to charge the fee. 1160

(2) All fees collected under this section shall be paid on 1161
or before the twentieth day of the month following the month in 1162
which they are collected to the county treasurer if the court is 1163
a county-operated municipal court or to the city treasurer if 1164
the court is not a county-operated municipal court. The 1165
treasurer shall place the funds from the fees in a separate fund 1166
to be disbursed upon an order of the court, subject to an 1167
appropriation by the board of county commissioners if the court 1168
is a county-operated municipal court or by the legislative 1169
authority of the municipal corporation if the court is not a 1170
county-operated municipal court, or upon an order of the court, 1171
subject to the court making an annual report available to the 1172
public listing the use of all such funds, in an amount not 1173
greater than the actual cost to the court of computerizing the 1174
court, procuring and maintaining computerized legal research 1175
services, or both. 1176

(3) If the court determines that the funds in the fund 1177
described in division (A) (2) of this section are more than 1178
sufficient to satisfy the purpose for which the additional fee 1179
described in division (A) (1) of this section was imposed, the 1180
court may declare a surplus in the fund and, subject to an 1181
appropriation by the board of county commissioners if the court 1182
is a county-operated municipal court or by the legislative 1183
authority of the municipal corporation if the court is not a 1184
county-operated municipal court, expend those surplus funds, or 1185
upon an order of the court, subject to the court making an 1186
annual report available to the public listing the use of all 1187
such funds, expend those surplus funds, for other appropriate 1188
technological expenses of the court. 1189

~~(B) (1) A(B) (1) (a) Except as provided in division (B) (1) (b)~~ 1190
of this section, the clerk of a municipal court may determine 1191

that, for the efficient operation of the office of the clerk of 1192
the municipal court, additional funds are required to 1193
computerize the office of the clerk of the court and, upon that 1194
determination, may ~~include in its schedule of fees and costs~~ 1195
~~under section 1901.26 of the Revised Code an additional~~ 1196
authorize and direct that a computerization fee not to exceed 1197
~~ten twenty~~ dollars be charged on the filing of each cause of 1198
action or appeal, on the filing, docketing, and endorsing of 1199
each certificate of judgment, or on the docketing and indexing 1200
of each aid in execution or petition to vacate, revive, or 1201
modify a judgment that is equivalent to one described in 1202
division (A), (P), (Q), (T), or (U) of section 2303.20 of the 1203
Revised Code. 1204

(b) In a county in which the clerk of the municipal court 1205
is appointed, the municipal court may make the determination 1206
described in division (B)(1)(a) of this section and, upon that 1207
determination, may include such a computerization fee in its 1208
schedule of fees and costs under section 1901.26 of the Revised 1209
Code. 1210

(2) Subject to division ~~(B)(2)~~ (B)(3) of this section, all 1211
moneys collected under division ~~(B)(1)~~ (B)(1)(a) of this section 1212
shall be paid on or before the twentieth day of the month 1213
following the month in which they are collected to the county 1214
treasurer if the court is a county-operated municipal court or 1215
to the city treasurer if the court is not a county-operated 1216
municipal court. The treasurer shall place the funds from the 1217
fees in a separate fund to be disbursed, ~~upon an order of the~~ 1218
~~municipal court and~~ subject to an appropriation made by the 1219
board of county commissioners if the court is a county-operated 1220
municipal court or by the legislative authority of the municipal 1221
corporation if the court is not a county-operated municipal 1222

court, in an amount no greater than the actual cost to the court 1223
of procuring and maintaining computer systems for the office of 1224
the clerk of the municipal court. 1225

~~(2)~~(3) If a municipal court or the clerk of a municipal 1226
court makes the determination described in division ~~(B) (1)~~(B) (1) 1227
(a) of this section, the board of county commissioners of the 1228
county if the court is a county-operated municipal court or the 1229
legislative authority of the municipal corporation if the court 1230
is not a county-operated municipal court, may issue one or more 1231
general obligation bonds for the purpose of procuring and 1232
maintaining the computer systems for the office of the clerk of 1233
the municipal court. In addition to the purposes stated in 1234
division ~~(B) (1)~~(B) (1) (a) of this section for which the moneys 1235
collected under that division may be expended, the moneys 1236
additionally may be expended to pay debt charges and financing 1237
costs related to any general obligation bonds issued pursuant to 1238
division ~~(B) (2)~~(B) (3) of this section as they become due. 1239
General obligation bonds issued pursuant to division ~~(B) (2)~~(B) 1240
(3) of this section are Chapter 133. securities. 1241

Sec. 1901.313. (A) Beginning not later than two hundred 1242
seventy days after the effective date of this section, pleadings 1243
or documents may be filed with the clerk of court either in 1244
paper format or in electronic format. 1245

(B) (1) The clerk shall determine whether the filing of 1246
pleadings or documents in electronic format may be accomplished 1247
either by electronic mail or through the use of an online 1248
platform. 1249

(2) The fee for filing pleadings or documents in 1250
electronic format may be paid after the filing. The clerk shall 1251
not require that any fee for the filing of pleadings or 1252

documents in electronic format be paid before the filing, unless 1253
the clerk has provided for an electronic payment system for such 1254
filing. 1255

(3) The clerk shall not require a fee for the filing of 1256
pleadings or documents in electronic format that is greater than 1257
the applicable fee for the filing of pleadings or documents in 1258
paper format. 1259

(C) Pleadings and documents filed in paper format may be 1260
converted to an electronic format. Documents created by the 1261
clerk of court in the exercise of the clerk's duties may be 1262
created in an electronic format. 1263

(D) When pleadings or documents are received or created 1264
in, or converted to, an electronic format as provided in this 1265
section, the pleadings or documents in that format shall be 1266
considered the official version of the record. 1267

Sec. 1907.11. (A) Each county court district shall have 1268
the following county court judges, to be elected as follows: 1269

In the Adams county county court, one part-time judge 1270
shall be elected in 1982. 1271

~~In~~ Until December 31, 2030, in the Ashtabula county county 1272
court, one part-time judge shall be elected in 1980, and one 1273
part-time judge shall be elected in 1982. Notwithstanding any 1274
contrary provision of division (C) of section 1907.13 of the 1275
Revised Code, the part-time judge to be elected in 2028 shall be 1276
elected for a term of two years commencing on January 1, 2029, 1277
and ending on December 31, 2030. The Ashtabula county county 1278
court part-time judgeships cease to exist on January 1, 2031. 1279
One full-time judge shall be elected in 2030, for a six-year 1280
term to commence on January 1, 2031. Effective January 1, 2031, 1281

notwithstanding division (A) (6) of section 141.04 of the Revised 1282
Code and division (A) of section 1907.16 of the Revised Code, 1283
the full-time judge of the Ashtabula county county court under 1284
this section shall receive the compensation set forth in 1285
division (A) (5) of section 141.04 of the Revised Code. 1286

In the Belmont county county court, one part-time judge 1287
shall be elected in 1992, term to commence on January 1, 1993, 1288
and two part-time judges shall be elected in 1994, terms to 1289
commence on January 1, 1995, and January 2, 1995, respectively. 1290

In the Butler county county court, one part-time judge 1291
shall be elected in 1992, term to commence on January 1, 1993, 1292
and two part-time judges shall be elected in 1994, terms to 1293
commence on January 1, 1995, and January 2, 1995, respectively. 1294

Until December 31, 2007, in the Erie county county court, 1295
one part-time judge shall be elected in 1982. Effective January 1296
1, 2008, the Erie county county court shall cease to exist. 1297

In the Harrison county county court, one part-time judge 1298
shall be elected in 1982. 1299

In the Highland county county court, one part-time judge 1300
shall be elected in 1982. 1301

In the Jefferson county county court, one part-time judge 1302
shall be elected in 1992, term to commence on January 1, 1993, 1303
and two part-time judges shall be elected in 1994, terms to 1304
commence on January 1, 1995, and January 2, 1995, respectively. 1305

In the Mahoning county county court, one part-time judge 1306
shall be elected in 1992, term to commence on January 1, 1993, 1307
and three part-time judges shall be elected in 1994, terms to 1308
commence on January 1, 1995, January 2, 1995, and January 3, 1309
1995, respectively. 1310

In the Meigs county county court, one part-time judge 1311
shall be elected in 1982. 1312

In the Monroe county county court, one part-time judge 1313
shall be elected in 1982. 1314

In the Morgan county county court, one part-time judge 1315
shall be elected in 1982. 1316

In the Muskingum county county court, one part-time judge 1317
shall be elected in 1980, and one part-time judge shall be 1318
elected in 1982. 1319

In the Noble county county court, one part-time judge 1320
shall be elected in 1982. 1321

In the Pike county county court, one part-time judge shall 1322
be elected in 1982. 1323

In the Sandusky county county court, one full-time judge 1324
shall be elected in 2024, term to commence on January 2, 2025. 1325
Effective January 2, 2025, notwithstanding division (A) (6) of 1326
section 141.04 of the Revised Code and division (A) of section 1327
1907.16 of the Revised Code, the full-time judge of the Sandusky 1328
county county court under this section shall receive the 1329
compensation set forth in division (A) (5) of section 141.04 of 1330
the Revised Code. 1331

In the Trumbull county county court, one part-time judge 1332
shall be elected in 1992, and one part-time judge shall be 1333
elected in 1994. 1334

In the Tuscarawas county county court, one part-time judge 1335
shall be elected in 1982. 1336

In the Vinton county county court, one part-time judge 1337
shall be elected in 1982. 1338

In the Warren county county court, one part-time judge 1339
shall be elected in 1980, and one part-time judge shall be 1340
elected in 1982. 1341

(B) (1) Additional judges shall be elected at the next 1342
regular election for a county court judge as provided in section 1343
1907.13 of the Revised Code. 1344

(2) Vacancies caused by the death or the resignation from, 1345
forfeiture of, or removal from office of a judge shall be filled 1346
in accordance with section 107.08 of the Revised Code, except as 1347
provided in section 1907.15 of the Revised Code. 1348

Sec. 1907.143. (A) (1) Subject to reimbursement under 1349
division (B) of this section, the treasurer of the county in 1350
which a county court is located shall pay the per diem 1351
compensation to which an acting judge appointed pursuant to 1352
division (A) (2) (a), (B) (1), or (C) (1) of section 1907.141 of the 1353
Revised Code is entitled pursuant to division (A) of section 1354
1907.142 of the Revised Code. 1355

(2) The treasurer of the county in which a county court is 1356
located shall pay the per diem compensation to which an assigned 1357
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 1358
or (C) (2) of section 1907.141 of the Revised Code is entitled 1359
pursuant to division (B) (1) or (4) of section 1907.142 of the 1360
Revised Code. 1361

(3) Subject to reimbursement under division (B) of this 1362
section, the treasurer of the county in which a county court is 1363
located shall pay the per diem compensation to which an assigned 1364
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 1365
or (C) (2) of section 1907.141 of the Revised Code is entitled 1366
pursuant to division (B) (2) of section 1907.142 of the Revised 1367

Code. 1368

(4) Subject to reimbursement under division (C) of this 1369
section, the supreme court shall pay the per diem compensation 1370
to which an assigned judge assigned pursuant to division (A)(1), 1371
(A)(2)(b), (B)(2), or (C)(2) of section 1907.141 of the Revised 1372
Code is entitled pursuant to division (B)(3) of section 1907.142 1373
of the Revised Code. 1374

(B) ~~The treasurer of a~~ A county that, pursuant to division 1375
(A)(1) or (3) of this section, is required to pay the per diem 1376
compensation to which an acting judge or assigned judge is 1377
entitled, shall submit to the administrative director of the 1378
supreme court quarterly requests for reimbursements of the state 1379
portion of the per diem amounts so paid. The requests shall 1380
include verifications of the payment of those amounts and an 1381
affidavit from the acting judge or assigned judge stating the 1382
days and hours worked. The administrative director shall cause 1383
reimbursements of the state portion of the per diem amounts paid 1384
to be issued to the county if the administrative director 1385
verifies that those amounts were, in fact, so paid. If the 1386
county fails to submit a request within one year after the per 1387
diem compensation was paid, the administrative director shall 1388
refuse to cause reimbursement to be issued. 1389

(C) If the supreme court, pursuant to division (A)(4) of 1390
this section, is required to pay the per diem compensation to 1391
which an assigned judge is entitled, annually, on the first day 1392
of August, the administrative director of the supreme court 1393
shall issue a billing to the county treasurer of any county to 1394
which such a judge was assigned to a county court for 1395
reimbursement of the county portion of the per diem compensation 1396
previously paid by the supreme court for the twelve-month period 1397

preceding the last day of June. The county portion of the per 1398
diem compensation shall be that part of each per diem paid by 1399
the state which is proportional to the county shares of the 1400
total compensation of a resident judge of such court. The county 1401
treasurer shall forward the payment within thirty days. After 1402
forwarding the payment, the county treasurer shall seek 1403
reimbursement from the applicable local municipalities as 1404
appropriate. 1405

Sec. 1907.202. (A) Beginning not later than two hundred 1406
seventy days after the effective date of this section, pleadings 1407
or documents may be filed with the clerk of the county court 1408
either in paper format or in electronic format. 1409

(B) (1) The clerk shall determine whether the filing of 1410
pleadings or documents in electronic format may be accomplished 1411
either by electronic mail or through the use of an online 1412
platform. 1413

(2) The fee for filing pleadings or documents in 1414
electronic format may be paid after the filing. The clerk shall 1415
not require that any fee for the filing of pleadings or 1416
documents in electronic format be paid before the filing, unless 1417
the clerk has provided for an electronic payment system for such 1418
filing. 1419

(3) The clerk shall not require a fee for the filing of 1420
pleadings or documents in electronic format that is greater than 1421
the applicable fee for the filing of pleadings or documents in 1422
paper format. 1423

(C) Pleadings and documents filed in paper format may be 1424
converted to an electronic format. Documents created by the 1425
clerk of the county court in the exercise of the clerk's duties 1426

may be created in an electronic format. 1427

(D) When pleadings or documents are received or created 1428
in, or converted to, an electronic format as provided in this 1429
section, the pleadings or documents in that format shall be 1430
considered the official version of the record. 1431

Sec. 1907.261. (A) (1) A county court may determine that 1432
for the efficient operation of the court additional funds are 1433
required to computerize the court, to make available 1434
computerized legal research services, or to do both. Upon making 1435
a determination that additional funds are required for either or 1436
both of those purposes, the court shall include in its schedule 1437
of fees and costs under section 1907.24 of the Revised Code one 1438
additional fee not to exceed three dollars on the filing of each 1439
cause of action or appeal equivalent to one described in 1440
division (A), (Q), or (U) of section 2303.20 of the Revised Code 1441
and shall direct the clerk of the court to charge the fee. 1442

(2) All fees collected under this section shall be paid on 1443
or before the twentieth day of the month following the month in 1444
which they are collected to the county treasurer. The treasurer 1445
shall place the funds from the fees in a separate fund to be 1446
disbursed either upon an order of the court, subject to an 1447
appropriation by the board of county commissioners, or upon an 1448
order of the court, subject to the court making an annual report 1449
available to the public listing the use of all such funds, in an 1450
amount not greater than the actual cost to the court of 1451
computerizing the court, procuring and maintaining computerized 1452
legal research services, or both. 1453

(3) If the court determines that the funds in the fund 1454
described in division (A) (2) of this section are more than 1455
sufficient to satisfy the purpose for which the additional fee 1456

described in division (A) (1) of this section was imposed, the 1457
court may declare a surplus in the fund and, subject to an 1458
appropriation by the board of county commissioners, expend those 1459
surplus funds, or upon an order of the court, subject to the 1460
court making an annual report available to the public listing 1461
the use of all such funds, expend those surplus funds, for other 1462
appropriate technological expenses of the court. 1463

~~(B) (1) A~~ (B) (1) (a) Except as provided in division (B) (1) (b) 1464
of this section, the clerk of a county court may determine that, 1465
for the efficient operation of the office of the clerk of the 1466
court, additional funds are required to computerize the office 1467
of the clerk of the court and, upon that determination, may 1468
~~include in its schedule of fees and costs under section 1907.24~~ 1469
~~of the Revised Code an additional~~ authorize and direct that a 1470
computerization fee not to exceed ~~ten~~ twenty dollars be charged 1471
on the filing of each cause of action or appeal, on the filing, 1472
docketing, and endorsing of each certificate of judgment, or on 1473
the docketing and indexing of each aid in execution or petition 1474
to vacate, revive, or modify a judgment that is equivalent to 1475
one described in division (A), (P), (Q), (T), or (U) of section 1476
2303.20 of the Revised Code. 1477

(b) In a county in which the clerk of the county court is 1478
appointed, the county court may make the determination described 1479
in division (B) (1) (a) of this section and, upon that 1480
determination, may include such a computerization fee in its 1481
schedule of fees and costs under section 1907.24 of the Revised 1482
Code. 1483

(2) Subject to division ~~(B) (2)~~ (B) (3) of this section, all 1484
moneys collected under division ~~(B) (1)~~ (B) (1) (a) of this section 1485
shall be paid on or before the twentieth day of the month 1486

following the month in which they are collected to the county 1487
treasurer. The treasurer shall place the funds from the fees in 1488
a separate fund to be disbursed, ~~upon an order of the county~~ 1489
~~court and~~ subject to an appropriation made by the board of 1490
county commissioners, in an amount no greater than the actual 1491
cost to the court of procuring and maintaining computer systems 1492
for the office of the clerk of the county court. 1493

~~(2)~~ (3) If a county court or the clerk of a county court 1494
makes the determination described in division ~~(B) (1)~~ (B) (1) (a) of 1495
this section, the board of county commissioners of that county 1496
may issue one or more general obligation bonds for the purpose 1497
of procuring and maintaining the computer systems for the office 1498
of the clerk of the county court. In addition to the purposes 1499
stated in division ~~(B) (1)~~ (B) (1) (a) of this section for which the 1500
moneys collected under that division may be expended, the moneys 1501
additionally may be expended to pay debt charges and financing 1502
costs related to any general obligation bonds issued pursuant to 1503
division ~~(B) (2)~~ (B) (3) of this section as they become due. 1504
General obligation bonds issued pursuant to division ~~(B) (2)~~ (B) 1505
(3) of this section are Chapter 133. securities. 1506

Sec. 2303.081. (A) Pleadings or documents may be filed 1507
with the clerk of court either in paper format or in electronic 1508
format. 1509

(B) (1) The clerk shall determine whether the filing of 1510
pleadings or documents in electronic format may be accomplished 1511
either by electronic mail or through the use of an online 1512
platform. 1513

(2) The fee for filing pleadings or documents in 1514
electronic format may be paid after the filing. The clerk shall 1515
not require that any fee for the filing of pleadings or 1516

documents in electronic format be paid before the filing, unless 1517
the clerk has provided for an electronic payment system for such 1518
filing. 1519

(3) The clerk shall not require a fee for the filing of 1520
pleadings or documents in electronic format that is greater than 1521
the applicable fee for the filing of pleadings or documents in 1522
paper format. 1523

(4) Divisions (B) (1), (2), and (3) of this section do not 1524
apply to the filing of pleadings or documents in a probate court 1525
or juvenile court. 1526

(C) Pleadings and documents filed in paper format may be 1527
converted to an electronic format. Documents created by the 1528
clerk of court in the exercise of the clerk's duties may be 1529
created in an electronic format. 1530

~~(B)~~ (D) When pleadings or documents are received or 1531
created in, or converted to, an electronic format as provided in 1532
~~division (A)~~ of this section, the pleadings or documents in that 1533
format shall be considered the official version of the record. 1534

Sec. 2303.201. (A) (1) The court of common pleas of any 1535
county may determine that for the efficient operation of the 1536
court additional funds are required to computerize the court, to 1537
make available computerized legal research services, or to do 1538
both. Upon making a determination that additional funds are 1539
required for either or both of those purposes, the court shall 1540
authorize and direct the clerk of the court of common pleas to 1541
charge one additional fee, not to exceed six dollars, on the 1542
filing of each cause of action or appeal under divisions (A), 1543
(Q), and (U) of section 2303.20 of the Revised Code. 1544

(2) All fees collected under division (A) (1) of this 1545

section shall be paid to the county treasurer. The treasurer 1546
shall place the funds from the fees in a separate fund to be 1547
disbursed either upon an order of the court, subject to an 1548
appropriation by the board of county commissioners, or upon an 1549
order of the court, subject to the court making an annual report 1550
available to the public listing the use of all such funds, in an 1551
amount not greater than the actual cost to the court of 1552
procuring and maintaining computerization of the court, 1553
computerized legal research services, or both. 1554

(3) If the court determines that the funds in the fund 1555
described in division (A) (2) of this section are more than 1556
sufficient to satisfy the purpose for which the additional fee 1557
described in division (A) (1) of this section was imposed, the 1558
court may declare a surplus in the fund and, subject to an 1559
appropriation by the board of county commissioners, expend those 1560
surplus funds, or upon an order of the court, subject to the 1561
court making an annual report available to the public listing 1562
the use of all such funds, expend those surplus funds, for other 1563
appropriate technological expenses of the court. 1564

~~(B) (1) The~~ (B) (1) (a) Except as provided in division (B) (1) 1565
(b) of this section, the clerk of the court of common pleas of 1566
any county may determine that, for the efficient operation of 1567
the office of the clerk of the court of common pleas, additional 1568
funds are required to make technological advances in or to 1569
computerize the office of the clerk of the court of common pleas 1570
and, upon that determination, authorize and direct ~~the clerk of~~ 1571
~~the court of common pleas to charge that~~ an additional fee, not 1572
to exceed twenty dollars, on the filing of each cause of action 1573
or appeal, on the filing, docketing, and endorsing of each 1574
certificate of judgment, or on the docketing and indexing of 1575
each aid in execution or petition to vacate, revive, or modify a 1576

judgment under divisions (A), (P), (Q), (T), and (U) of section 1577
2303.20 of the Revised Code and not to exceed one dollar each 1578
for the services described in divisions (B), (C), (D), (F), (H), 1579
and (L) of section 2303.20 of the Revised Code, be charged. 1580

(b) In a county in which the clerk of the court of common 1581
pleas is appointed, the court may make the determination 1582
described in division (B)(1)(a) of this section and, upon that 1583
determination, may include such a computerization fee in its 1584
schedule of fees and costs. 1585

(2) Subject to division ~~(B)(2)~~ (B)(3) of this section, all 1586
moneys collected under division ~~(B)(1)~~ (B)(1)(a) of this section 1587
shall be paid to the county treasurer to be disbursed, ~~upon an~~ 1588
~~order of the court of common pleas and~~ subject to an 1589
appropriation made by the board of county commissioners, in an 1590
amount no greater than the actual cost to the court of procuring 1591
and maintaining technology and computer systems for the office 1592
of the clerk of the court of common pleas. 1593

~~(2)~~ (3) If the court of common pleas or the clerk of the 1594
court of common pleas of a county makes the determination 1595
described in division ~~(B)(1)~~ (B)(1)(a) of this section, the board 1596
of county commissioners of that county may issue one or more 1597
general obligation bonds for the purpose of procuring and 1598
maintaining the technology and computer systems for the office 1599
of the clerk of the court of common pleas. In addition to the 1600
purposes stated in division ~~(B)(1)~~ (B)(1)(a) of this section for 1601
which the moneys collected under that division may be expended, 1602
the moneys additionally may be expended to pay debt charges on 1603
and financing costs related to any general obligation bonds 1604
issued pursuant to division ~~(B)(2)~~ (B)(3) of this section as they 1605
become due. General obligation bonds issued pursuant to division 1606

~~(B) (2)~~ (B) (3) of this section are Chapter 133. securities. 1607

(C) The court of common pleas shall collect the sum of 1608
twenty-six dollars as additional filing fees in each new civil 1609
action or proceeding for the charitable public purpose of 1610
providing financial assistance to legal aid societies that 1611
operate within the state and to support the office of the state 1612
public defender. This division does not apply to a juvenile 1613
division of a court of common pleas, except that an additional 1614
filing fee of fifteen dollars shall apply to custody, 1615
visitation, and parentage actions; to a probate division of a 1616
court of common pleas, except that the additional filing fees 1617
shall apply to name change, guardianship, adoption, and 1618
decedents' estate proceedings; or to an execution on a judgment, 1619
proceeding in aid of execution, or other post-judgment 1620
proceeding arising out of a civil action. The filing fees 1621
required to be collected under this division shall be in 1622
addition to any other filing fees imposed in the action or 1623
proceeding and shall be collected at the time of the filing of 1624
the action or proceeding. The court shall not waive the payment 1625
of the additional filing fees in a new civil action or 1626
proceeding unless the court waives the advanced payment of all 1627
filing fees in the action or proceeding. All such moneys 1628
collected during a month except for an amount equal to up to one 1629
per cent of those moneys retained to cover administrative costs 1630
shall be transmitted on or before the twentieth day of the 1631
following month by the clerk of the court to the treasurer of 1632
state in a manner prescribed by the treasurer of state or by the 1633
Ohio access to justice foundation. The treasurer of state shall 1634
deposit four per cent of the funds collected under this division 1635
to the credit of the civil case filing fee fund established 1636
under section 120.07 of the Revised Code and ninety-six per cent 1637

of the funds collected under this division to the credit of the 1638
legal aid fund established under section 120.52 of the Revised 1639
Code. 1640

The court may retain up to one per cent of the moneys it 1641
collects under this division to cover administrative costs, 1642
including the hiring of any additional personnel necessary to 1643
implement this division. If the court fails to transmit to the 1644
treasurer of state the moneys the court collects under this 1645
division in a manner prescribed by the treasurer of state or by 1646
the Ohio access to justice foundation, the court shall forfeit 1647
the moneys the court retains under this division to cover 1648
administrative costs, including the hiring of any additional 1649
personnel necessary to implement this division, and shall 1650
transmit to the treasurer of state all moneys collected under 1651
this division, including the forfeited amount retained for 1652
administrative costs, for deposit in the legal aid fund. 1653

(D) On and after the thirtieth day after December 9, 1994, 1654
the court of common pleas shall collect the sum of thirty-two 1655
dollars as additional filing fees in each new action or 1656
proceeding for annulment, divorce, or dissolution of marriage 1657
for the purpose of funding shelters for victims of domestic 1658
violence pursuant to sections 3113.35 to 3113.39 of the Revised 1659
Code. The filing fees required to be collected under this 1660
division shall be in addition to any other filing fees imposed 1661
in the action or proceeding and shall be collected at the time 1662
of the filing of the action or proceeding. The court shall not 1663
waive the payment of the additional filing fees in a new action 1664
or proceeding for annulment, divorce, or dissolution of marriage 1665
unless the court waives the advanced payment of all filing fees 1666
in the action or proceeding. On or before the twentieth day of 1667
each month, all moneys collected during the immediately 1668

preceding month pursuant to this division shall be deposited by 1669
the clerk of the court into the county treasury in the special 1670
fund used for deposit of additional marriage license fees as 1671
described in section 3113.34 of the Revised Code. Upon their 1672
deposit into the fund, the moneys shall be retained in the fund 1673
and expended only as described in section 3113.34 of the Revised 1674
Code. 1675

(E) (1) The court of common pleas may determine that, for 1676
the efficient operation of the court, additional funds are 1677
necessary to acquire and pay for special projects of the court, 1678
including, but not limited to, the acquisition of additional 1679
facilities or the rehabilitation of existing facilities, the 1680
acquisition of equipment, the hiring and training of staff, 1681
community service programs, mediation or dispute resolution 1682
services, the employment of magistrates, the training and 1683
education of judges, acting judges, and magistrates, and other 1684
related services. Upon that determination, the court by rule may 1685
charge a fee, in addition to all other court costs, on the 1686
filing of each criminal cause, civil action or proceeding, or 1687
judgment by confession. 1688

If the court of common pleas offers or requires a special 1689
program or additional services in cases of a specific type, the 1690
court by rule may assess an additional charge in a case of that 1691
type, over and above court costs, to cover the special program 1692
or service. The court shall adjust the special assessment 1693
periodically, but not retroactively, so that the amount assessed 1694
in those cases does not exceed the actual cost of providing the 1695
service or program. 1696

All moneys collected under division (E) of this section 1697
shall be paid to the county treasurer for deposit into either a 1698

general special projects fund or a fund established for a 1699
specific special project. Moneys from a fund of that nature 1700
shall be disbursed upon an order of the court, subject to an 1701
appropriation by the board of county commissioners, in an amount 1702
no greater than the actual cost to the court of a project. If a 1703
specific fund is terminated because of the discontinuance of a 1704
program or service established under division (E) of this 1705
section, the court may order, subject to an appropriation by the 1706
board of county commissioners, that moneys remaining in the fund 1707
be transferred to an account established under this division for 1708
a similar purpose. 1709

(2) As used in division (E) of this section: 1710

(a) "Criminal cause" means a charge alleging the violation 1711
of a statute or ordinance, or subsection of a statute or 1712
ordinance, that requires a separate finding of fact or a 1713
separate plea before disposition and of which the defendant may 1714
be found guilty, whether filed as part of a multiple charge on a 1715
single summons, citation, or complaint or as a separate charge 1716
on a single summons, citation, or complaint. "Criminal cause" 1717
does not include separate violations of the same statute or 1718
ordinance, or subsection of the same statute or ordinance, 1719
unless each charge is filed on a separate summons, citation, or 1720
complaint. 1721

(b) "Civil action or proceeding" means any civil 1722
litigation that must be determined by judgment entry. 1723

Sec. 2505.02. (A) As used in this section: 1724

(1) "Substantial right" means a right that the United 1725
States Constitution, the Ohio Constitution, a statute, the 1726
common law, or a rule of procedure entitles a person to enforce 1727

or protect. 1728

(2) "Special proceeding" means an action or proceeding 1729
that is specially created by statute and that prior to 1853 was 1730
not denoted as an action at law or a suit in equity. 1731

(3) "Provisional remedy" means a proceeding ancillary to 1732
an action, including, but not limited to, a proceeding for a 1733
preliminary injunction, attachment, discovery of privileged 1734
matter, suppression of evidence, a prima-facie showing pursuant 1735
to section 2307.85 or 2307.86 of the Revised Code, a prima-facie 1736
showing pursuant to section 2307.92 of the Revised Code, or a 1737
finding made pursuant to division (A) (3) of section 2307.93 of 1738
the Revised Code. 1739

(B) An order is a final order that may be reviewed, 1740
affirmed, modified, or reversed, with or without retrial, when 1741
it is one of the following: 1742

(1) An order that affects a substantial right in an action 1743
that in effect determines the action and prevents a judgment; 1744

(2) An order that affects a substantial right made in a 1745
special proceeding or upon a summary application in an action 1746
after judgment; 1747

(3) An order that vacates or sets aside a judgment or 1748
grants a new trial; 1749

(4) An order that grants or denies a provisional remedy 1750
and to which both of the following apply: 1751

(a) The order in effect determines the action with respect 1752
to the provisional remedy and prevents a judgment in the action 1753
in favor of the appealing party with respect to the provisional 1754
remedy. 1755

(b) The appealing party would not be afforded a meaningful 1756
or effective remedy by an appeal following final judgment as to 1757
all proceedings, issues, claims, and parties in the action. 1758

(5) An order that determines that an action may or may not 1759
be maintained as a class action; 1760

(6) An order determining the constitutionality of any 1761
changes to the Revised Code made by Am. Sub. S.B. 281 of the 1762
124th general assembly, including the amendment of sections 1763
1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54, 1764
2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43, 1765
2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as 1766
5164.07 by H.B. 59 of the 130th general assembly), and the 1767
enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of 1768
the Revised Code or any changes made by Sub. S.B. 80 of the 1769
125th general assembly, including the amendment of sections 1770
2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the 1771
Revised Code; 1772

(7) An order in an appropriation proceeding that may be 1773
appealed pursuant to division (B) (3) of section 163.09 of the 1774
Revised Code; 1775

(8) An order restraining or restricting enforcement, in 1776
whole or in part, facially or as applied, of any state statute 1777
or regulation, including, but not limited, to orders in the form 1778
of injunctions, declaratory judgments, or writs. 1779

(C) When a court issues an order that vacates or sets 1780
aside a judgment or grants a new trial, the court, upon the 1781
request of either party, shall state in the order the grounds 1782
upon which the new trial is granted or the judgment vacated or 1783
set aside. 1784

(D) This section applies to and governs any action, 1785
including an appeal, that is pending in any court on July 22, 1786
1998, and all claims filed or actions commenced on or after July 1787
22, 1998, notwithstanding any provision of any prior statute or 1788
rule of law of this state. 1789

Sec. 2929.20. (A) As used in this section: 1790

(1) (a) Except as provided in division (A) (1) (b) of this 1791
section, "eligible offender" means any person who, on or after 1792
April 7, 2009, is serving a stated prison term that includes one 1793
or more nonmandatory prison terms. A person may be an eligible 1794
offender and also may be an eighty per cent-qualifying offender 1795
or, during a declared state of emergency, a state of emergency- 1796
qualifying offender. 1797

(b) "Eligible offender" does not include any person who, 1798
on or after April 7, 2009, is serving a stated prison term for 1799
any of the following criminal offenses that was a felony and was 1800
committed while the person held a public office in this state: 1801

(i) A violation of section 2921.02, 2921.03, 2921.05, 1802
2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised 1803
Code; 1804

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 1805
2921.12 of the Revised Code, when the conduct constituting the 1806
violation was related to the duties of the offender's public 1807
office or to the offender's actions as a public official holding 1808
that public office; 1809

(iii) A violation of an existing or former municipal 1810
ordinance or law of this or any other state or the United States 1811
that is substantially equivalent to any violation listed in 1812
division (A) (1) (b) (i) of this section; 1813

(iv) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A) (1) (b) (ii) of this section, when the conduct constituting the violation was related to the duties of the offender's public office or to the offender's actions as a public official holding that public office;

(v) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (i) or described in division (A) (1) (b) (iii) of this section;

(vi) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (ii) or described in division (A) (1) (b) (iv) of this section, if the conduct constituting the offense that was the subject of the conspiracy, that would have constituted the offense attempted, or constituting the offense in which the offender was complicit was or would have been related to the duties of the offender's public office or to the offender's actions as a public official holding that public office.

(2) "State of emergency-qualifying offender" means any inmate to whom all of the following apply:

(a) The inmate is serving a stated prison term during a state of emergency that is declared by the governor as a direct response to a pandemic or public health emergency.

(b) The geographical area covered by the declared state of emergency includes the location at which the inmate is serving the stated prison term described in division (A) (2) (a) of this section.

(c) There is a direct nexus between the emergency that is

the basis of the governor's declaration of the state of 1843
emergency and the circumstances of, and need for release of, the 1844
inmate. 1845

(3) (a) "Eighty per cent-qualifying offender" means an 1846
offender who is serving a stated prison term of one year or 1847
more, on or after April 4, 2023, who has commenced service of 1848
that stated prison term, who is not serving a stated prison term 1849
that includes a disqualifying prison term or a stated prison 1850
term that consists solely of one or more restricting prison 1851
terms, and to whom either of the following applies: 1852

(i) If the offender is serving a stated prison term of one 1853
year or more that includes one or more restricting prison terms 1854
and one or more eligible prison terms, the offender has fully 1855
served all restricting prison terms and has served eighty per 1856
cent of that stated prison term that remains to be served after 1857
all restricting prison terms have been fully served. 1858

(ii) If the offender is serving a stated prison term of 1859
one year or more that consists solely of one or more eligible 1860
prison terms, the offender has served eighty per cent of that 1861
stated prison term. 1862

(b) For purposes of determining whether an offender is an 1863
eighty per cent-qualifying offender under division (A) (3) (a) of 1864
this section: 1865

(i) If the offender's stated prison term includes 1866
consecutive prison terms, any restricting prison terms shall be 1867
deemed served prior to any eligible prison terms that run 1868
consecutively to the restricting prison terms, and the eligible 1869
prison terms are deemed to commence after all of the restricting 1870
prison terms have been fully served. 1871

(ii) An offender serving a stated prison term of one year 1872
or more that includes a mandatory prison term that is not a 1873
disqualifying prison term and is not a restricting prison term 1874
is not automatically disqualified from being an eighty per cent- 1875
qualifying offender as a result of the offender's service of 1876
that mandatory term for release from prison under this section, 1877
and the offender may be eligible for release from prison in 1878
accordance with this division and division (O) of this section. 1879

(4) "Nonmandatory prison term" means a prison term that is 1880
not a mandatory prison term. 1881

(5) "Public office" means any elected federal, state, or 1882
local government office in this state. 1883

(6) "Victim's representative" has the same meaning as in 1884
section 2930.01 of the Revised Code. 1885

(7) "Imminent danger of death," "medically incapacitated," 1886
and "terminal illness" have the same meanings as in section 1887
2967.05 of the Revised Code. 1888

(8) "Aggregated nonmandatory prison term or terms" means 1889
the aggregate of the following: 1890

(a) All nonmandatory definite prison terms; 1891

(b) With respect to any non-life felony indefinite prison 1892
term, all nonmandatory minimum prison terms imposed as part of 1893
the non-life felony indefinite prison term or terms. 1894

(9) "Deadly weapon" and "dangerous ordnance" have the same 1895
meanings as in section 2923.11 of the Revised Code. 1896

(10) "Disqualifying prison term" means any of the 1897
following: 1898

(a) A prison term imposed for aggravated murder, murder,	1899
voluntary manslaughter, involuntary manslaughter, felonious	1900
assault, kidnapping, rape, aggravated arson, aggravated	1901
burglary, or aggravated robbery;	1902
(b) A prison term imposed for complicity in, an attempt to	1903
commit, or conspiracy to commit any offense listed in division	1904
(A) (10) (a) of this section;	1905
(c) A prison term of life imprisonment, including any term	1906
of life imprisonment that has parole eligibility;	1907
(d) A prison term imposed for any felony other than	1908
carrying a concealed weapon an essential element of which is any	1909
conduct or failure to act expressly involving any deadly weapon	1910
or dangerous ordnance;	1911
(e) A prison term imposed for any violation of section	1912
2925.03 of the Revised Code that is a felony of the first or	1913
second degree;	1914
(f) A prison term imposed for engaging in a pattern of	1915
corrupt activity in violation of section 2923.32 of the Revised	1916
Code;	1917
(g) A prison term imposed pursuant to section 2971.03 of	1918
the Revised Code;	1919
(h) A prison term imposed for any sexually oriented	1920
offense.	1921
(11) "Eligible prison term" means any prison term that is	1922
not a disqualifying prison term and is not a restricting prison	1923
term.	1924
(12) "Restricting prison term" means any of the following:	1925

(a) A mandatory prison term imposed under division (B) (1) 1926
(a), (B) (1) (c), (B) (1) (f), (B) (1) (g), (B) (2), or (B) (7) of 1927
section 2929.14 of the Revised Code for a specification of the 1928
type described in that division; 1929

(b) In the case of an offender who has been sentenced to a 1930
mandatory prison term for a specification of the type described 1931
in division (A) (12) (a) of this section, the prison term imposed 1932
for the felony offense for which the specification was stated at 1933
the end of the body of the indictment, count in the indictment, 1934
or information charging the offense; 1935

(c) A prison term imposed for trafficking in persons; 1936

(d) A prison term imposed for any offense that is 1937
described in division (A) (12) (d) (i) of this section if division 1938
(A) (12) (d) (ii) of this section applies to the offender: 1939

(i) The offense is a felony of the first or second degree 1940
that is an offense of violence and that is not described in 1941
division (A) (10) (a) or (b) of this section, an attempt to commit 1942
a felony of the first or second degree that is an offense of 1943
violence and that is not described in division (A) (10) (a) or (b) 1944
of this section if the attempt is a felony of the first or 1945
second degree, or an offense under an existing or former law of 1946
this state, another state, or the United States that is or was 1947
substantially equivalent to any other offense described in this 1948
division. 1949

(ii) The offender previously was convicted of or pleaded 1950
guilty to any offense listed in division (A) (10) or (A) (12) (d) 1951
(i) of this section. 1952

(13) "Sexually oriented offense" has the same meaning as 1953
in section 2950.01 of the Revised Code. 1954

(14) "Stated prison term of one year or more" means a
definite prison term of one year or more imposed as a stated
prison term, or a minimum prison term of one year or more
imposed as part of a stated prison term that is a non-life
felony indefinite prison term.

(B) On the motion of an eligible offender, on the motion
of a state of emergency-qualifying offender made during the
declared state of emergency, or on its own motion with respect
to an eligible offender or with respect to a state of emergency-
qualifying offender during the declared state of emergency, the
sentencing court may reduce the offender's aggregated
nonmandatory prison term or terms through a judicial release
under this section.

(C) (1) Subject to division (C) (2) of this section, an
eligible offender may file a motion for judicial release with
the sentencing court, or a state of emergency-qualifying
offender may file a motion for judicial release with the
sentencing court during the declared state of emergency, within
the following applicable periods:

(a) If the aggregated nonmandatory prison term or terms is
less than two years, the eligible offender or state of
emergency-qualifying offender may file the motion at any time
after the offender is delivered to a state correctional
institution or, if the prison term includes a mandatory prison
term or terms, at any time after the expiration of all mandatory
prison terms.

(b) If the aggregated nonmandatory prison term or terms is
at least two years but less than five years, the eligible
offender or state of emergency-qualifying offender may file the
motion not earlier than one hundred eighty days after the

offender is delivered to a state correctional institution or, if 1985
the prison term includes a mandatory prison term or terms, not 1986
earlier than one hundred eighty days after the expiration of all 1987
mandatory prison terms. 1988

(c) If the aggregated nonmandatory prison term or terms is 1989
five years, the eligible offender or state of emergency- 1990
qualifying offender may file the motion not earlier than the 1991
date on which the offender has served four years of the 1992
offender's stated prison term or, if the prison term includes a 1993
mandatory prison term or terms, not earlier than four years 1994
after the expiration of all mandatory prison terms. 1995

(d) If the aggregated nonmandatory prison term or terms is 1996
more than five years but not more than ten years, the eligible 1997
offender or state of emergency-qualifying offender may file the 1998
motion not earlier than the date on which the offender has 1999
served five years of the offender's stated prison term or, if 2000
the prison term includes a mandatory prison term or terms, not 2001
earlier than five years after the expiration of all mandatory 2002
prison terms. 2003

(e) If the aggregated nonmandatory prison term or terms is 2004
more than ten years, the eligible offender or state of 2005
emergency-qualifying offender may file the motion not earlier 2006
than the later of the date on which the offender has served one- 2007
half of the offender's stated prison term or the date specified 2008
in division (C) (1) (d) of this section. 2009

(f) With respect to a state of emergency-qualifying 2010
offender, if the offender's prison term does not include a 2011
mandatory prison term or terms, or if the offender's prison term 2012
includes one or more mandatory prison terms and the offender has 2013
completed the mandatory prison term or terms, the state of 2014

emergency-qualifying offender may file the motion at any time 2015
during the offender's aggregated nonmandatory prison term or 2016
terms, provided that time also is during the declared state of 2017
emergency. 2018

(2) During any single declared state of emergency, a state 2019
of emergency-qualifying offender may only file a motion for 2020
judicial release as a state of emergency-qualifying offender 2021
with the sentencing court during that declared state of 2022
emergency once every six months. 2023

(D) (1) (a) Upon receipt of a timely motion for judicial 2024
release filed by an eligible offender or a state of emergency- 2025
qualifying offender under division (C) of this section, or upon 2026
the sentencing court's own motion made within the appropriate 2027
time specified in that division, the court may deny the motion 2028
without a hearing or schedule a hearing on the motion. The court 2029
may grant the motion without a hearing for an offender under 2030
consideration for judicial release as a state of emergency- 2031
qualifying offender, but the court shall not grant the motion 2032
without a hearing for an offender under consideration as an 2033
eligible offender. If a court denies a motion without a hearing, 2034
the court later may consider judicial release for that eligible 2035
offender or that state of emergency-qualifying offender on a 2036
subsequent motion. For an offender under consideration for 2037
judicial release as an eligible offender, but not for one under 2038
consideration as a state of emergency-qualifying offender, the 2039
court may deny the motion with prejudice. If a court denies a 2040
motion with prejudice, the court may later consider judicial 2041
release on its own motion. For an offender under consideration 2042
for judicial release as a state of emergency-qualifying 2043
offender, the court shall not deny a motion with prejudice. For 2044
an offender under consideration for judicial release as an 2045

eligible offender, but not for one under consideration as a 2046
state of emergency-qualifying offender, if a court denies a 2047
motion after a hearing, the court shall not consider a 2048
subsequent motion for that offender based on the offender's 2049
classification as an eligible offender. The court may hold 2050
multiple hearings for any offender under consideration for 2051
judicial release as a state of emergency-qualifying offender, 2052
but shall hold only one hearing for any offender under 2053
consideration as an eligible offender. 2054

(b) If an offender is under consideration for judicial 2055
release as an eligible offender and the motion is denied, and if 2056
the offender at that time also is or subsequently becomes a 2057
state of emergency-qualifying offender, the denial does not 2058
limit or affect any right of the offender to file a motion under 2059
this section for consideration for judicial release as a state 2060
of emergency-qualifying offender or for the court on its own 2061
motion to consider the offender for judicial release as a state 2062
of emergency-qualifying offender. 2063

If an offender is under consideration for judicial release 2064
as a state of emergency-qualifying offender and the motion is 2065
denied, and if the offender at that time also is or subsequently 2066
becomes an eligible offender, the denial does not limit or 2067
affect any right of the offender to file a motion under this 2068
section for consideration for judicial release as an eligible 2069
offender or for the court on its own motion to consider the 2070
offender for judicial release as an eligible offender. 2071

(2) (a) With respect to a motion for judicial release filed 2072
by an offender as an eligible offender or made by the court on 2073
its own motion for an offender as an eligible offender, a 2074
hearing under this section shall be conducted in open court not 2075

less than thirty or more than sixty days after the motion is 2076
filed, provided that the court may delay the hearing for one 2077
hundred eighty additional days. If the court holds a hearing, 2078
the court shall enter a ruling on the motion within ten days 2079
after the hearing. If the court denies the motion without a 2080
hearing, the court shall enter its ruling on the motion within 2081
sixty days after the motion is filed. 2082

(b) With respect to a motion for judicial release filed by 2083
an offender as a state of emergency-qualifying offender or made 2084
by the court on its own motion for an offender as a state of 2085
emergency-qualifying offender, the court shall notify the 2086
prosecuting attorney of the county in which the offender was 2087
indicted and may order the prosecuting attorney to respond to 2088
the motion in writing within ten days. The prosecuting attorney 2089
shall notify the victim pursuant to the Ohio Constitution. The 2090
prosecuting attorney shall include in the response any statement 2091
that the victim wants to be represented to the court. The court 2092
shall consider any response from the prosecuting attorney and 2093
any statement from the victim in its ruling on the motion. After 2094
receiving the response from the prosecuting attorney, the court 2095
either shall order a hearing consistent with divisions (E) to 2096
(I) of this section as soon as possible, or shall enter its 2097
ruling on the motion for judicial release as soon as possible. 2098
If the court conducts a hearing, the hearing shall be conducted 2099
in open court or by a virtual, telephonic, or other form of 2100
remote hearing. If the court holds a hearing, the court shall 2101
enter a ruling on the motion within ten days after the hearing. 2102
If the court denies the motion without a hearing, the court 2103
shall enter its ruling on the motion within ten days after the 2104
motion is filed or after it receives the response from the 2105
prosecuting attorney. 2106

(E) If a court schedules a hearing under divisions (D) (1) 2107
and (2) (a) of this section or under divisions (D) (1) and (2) (b) 2108
of this section, the court shall notify the subject eligible 2109
offender or state of emergency-qualifying offender and the head 2110
of the state correctional institution in which that subject 2111
offender is confined prior to the hearing. The head of the state 2112
correctional institution immediately shall notify the 2113
appropriate person at the department of rehabilitation and 2114
correction of the hearing, and the department within twenty-four 2115
hours after receipt of the notice, shall post on the database it 2116
maintains pursuant to section 5120.66 of the Revised Code the 2117
subject offender's name and all of the information specified in 2118
division (A) (1) (c) (i) of that section. If the court schedules a 2119
hearing for judicial release, the court promptly shall give 2120
notice of the hearing to the prosecuting attorney of the county 2121
in which the subject eligible offender or state of emergency- 2122
qualifying offender was indicted. Upon receipt of the notice 2123
from the court, the prosecuting attorney shall do whichever of 2124
the following is applicable: 2125

(1) Subject to division (E) (2) of this section, notify the 2126
victim of the offense and the victim's representative, if 2127
applicable, pursuant to the Ohio Constitution and division (B) 2128
of section 2930.16 of the Revised Code; 2129

(2) If the offense was an offense of violence that is a 2130
felony of the first, second, or third degree, except as 2131
otherwise provided in this division, pursuant to the Ohio 2132
Constitution, notify the victim and the victim's representative, 2133
if applicable, of the hearing regardless of whether the victim 2134
or victim's representative has requested the notification. 2135
Except when notice to the victim is required under the Ohio 2136
Constitution, the notice of the hearing shall not be given under 2137

this division to a victim or victim's representative if the 2138
victim or victim's representative has requested pursuant to 2139
division (B) (2) of section 2930.03 of the Revised Code that the 2140
victim or the victim's representative not be provided the 2141
notice. If notice is to be provided to a victim or victim's 2142
representative under this division, the prosecuting attorney may 2143
give the notice by any reasonable means, including regular mail, 2144
telephone, and electronic mail, in accordance with division (D) 2145
(1) of section 2930.16 of the Revised Code. If the notice is 2146
based on an offense committed prior to March 22, 2013, the 2147
notice also shall include the opt-out information described in 2148
division (D) (1) of section 2930.16 of the Revised Code. The 2149
prosecuting attorney, in accordance with division (D) (2) of 2150
section 2930.16 of the Revised Code, shall keep a record of all 2151
attempts to provide the notice, and of all notices provided, 2152
under this division. Division (E) (2) of this section, and the 2153
notice-related provisions of division (K) of this section, 2154
division (D) (1) of section 2930.16, division (H) of section 2155
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2156
prior to April 4, 2023, division (A) (3) (b) of section 2967.26, 2157
division (D) (1) of section 2967.28, and division (A) (2) of 2158
section 5149.101 of the Revised Code enacted in the act in which 2159
division (E) (2) of this section was enacted, shall be known as 2160
"Roberta's Law." 2161

(F) Upon an offender's successful completion of 2162
rehabilitative activities, the head of the state correctional 2163
institution may notify the sentencing court of the successful 2164
completion of the activities. 2165

(G) Prior to the date of the hearing on a motion for 2166
judicial release made by an eligible offender, by a state of 2167
emergency-qualifying offender, or by a court on its own under 2168

this section, the head of the state correctional institution in 2169
which the subject offender is confined shall send to the court 2170
an institutional summary report on the offender's conduct in the 2171
institution and in any institution from which the offender may 2172
have been transferred. Upon the request of the prosecuting 2173
attorney of the county in which the subject offender was 2174
indicted or of any law enforcement agency, the head of the state 2175
correctional institution, at the same time the person sends the 2176
institutional summary report to the court, also shall send a 2177
copy of the report to the requesting prosecuting attorney and 2178
law enforcement agencies. The institutional summary report shall 2179
cover the subject offender's participation in school, vocational 2180
training, work, treatment, and other rehabilitative activities 2181
and any disciplinary action taken against the subject offender. 2182
The report shall be made part of the record of the hearing. A 2183
presentence investigation report is not required for judicial 2184
release. 2185

(H) If the court grants a hearing on a motion for judicial 2186
release made by an eligible offender, by a state of emergency- 2187
qualifying offender, or by a court on its own under this 2188
section, the subject offender shall attend the hearing if 2189
ordered to do so by the court. Upon receipt of a copy of the 2190
journal entry containing the order, the head of the state 2191
correctional institution in which the subject offender is 2192
incarcerated shall deliver the subject offender to the sheriff 2193
of the county in which the hearing is to be held. The sheriff 2194
shall convey the subject offender to and from the hearing. 2195

(I) At the hearing on a motion for judicial release under 2196
this section made by an eligible offender, by a state of 2197
emergency-qualifying offender, or by a court on its own, the 2198
court shall afford the subject offender and the offender's 2199

attorney an opportunity to present written and, if present, oral 2200
information relevant to the motion. The court shall afford a 2201
similar opportunity to the prosecuting attorney, the victim, the 2202
victim's representative, the victim's attorney, if applicable, 2203
and any other person the court determines is likely to present 2204
additional relevant information. The court shall consider any 2205
oral or written statement of a victim, victim's representative, 2206
and victim's attorney, if applicable, made pursuant to section 2207
2930.14 or 2930.17 of the Revised Code, any victim impact 2208
statement prepared pursuant to section 2947.051 of the Revised 2209
Code, and any report made under division (G) of this section. 2210
The court may consider any written statement of any person 2211
submitted to the court pursuant to division (L) of this section. 2212

If the motion alleges that the offender who is the subject 2213
of the motion is an eligible offender and the court makes an 2214
initial determination that the offender satisfies the criteria 2215
for being an eligible offender, or if the motion alleges that 2216
the offender who is the subject of the motion is a state of 2217
emergency-qualifying offender and the court makes an initial 2218
determination that the offender satisfies the criteria for being 2219
a state of emergency-qualifying offender, the court shall 2220
determine whether to grant the motion. After ruling on the 2221
motion, the court shall notify the prosecuting attorney of the 2222
county in which the eligible offender or state of emergency- 2223
qualifying offender was indicted of the ruling, and the 2224
prosecuting attorney shall notify the victim and the victim's 2225
representative of the ruling in accordance with sections 2930.03 2226
and 2930.16 of the Revised Code or, if the court granted the 2227
motion, in accordance with division (K) of this section. 2228

(J) (1) A court shall not grant a judicial release under 2229
this section to an offender who is imprisoned for a felony of 2230

the first or second degree and who is under consideration as an 2231
eligible offender, or to an offender who committed an offense 2232
under Chapter 2925. or 3719. of the Revised Code, who is under 2233
consideration as an eligible offender, and for whom there was a 2234
presumption under section 2929.13 of the Revised Code in favor 2235
of a prison term, unless the court, with reference to factors 2236
under section 2929.12 of the Revised Code, finds both of the 2237
following: 2238

(a) That a sanction other than a prison term would 2239
adequately punish the offender and protect the public from 2240
future criminal violations by the offender because the 2241
applicable factors indicating a lesser likelihood of recidivism 2242
outweigh the applicable factors indicating a greater likelihood 2243
of recidivism; 2244

(b) That a sanction other than a prison term would not 2245
demean the seriousness of the offense because factors indicating 2246
that the offender's conduct in committing the offense was less 2247
serious than conduct normally constituting the offense outweigh 2248
factors indicating that the eligible offender's conduct was more 2249
serious than conduct normally constituting the offense. 2250

(2) A court that grants a judicial release under division 2251
(J) (1) of this section to an offender who is under consideration 2252
as an eligible offender shall specify on the record both 2253
findings required in that division and also shall list all the 2254
factors described in that division that were presented at the 2255
hearing. 2256

(3) (a) Subject to division (J) (3) (b) of this section, a 2257
court shall grant a judicial release under this section to an 2258
offender who is under consideration as a state of emergency- 2259
qualifying offender if the court determines that the risks posed 2260

by incarceration to the health and safety of the offender, 2261
because of the nature of the declared state of emergency, 2262
outweigh the risk to public safety if the offender were to be 2263
released from incarceration. 2264

(b) A court shall not grant a judicial release under this 2265
section to an offender who is imprisoned for a felony of the 2266
first or second degree and is under consideration for judicial 2267
release as a state of emergency-qualifying offender unless the 2268
court, with reference to the factors specified under section 2269
2929.12 of the Revised Code, finds both of the criteria set 2270
forth in divisions (J)(1)(a) and (b) of this section. 2271

(K) If the court grants a motion for judicial release 2272
under this section, the court shall order the release of the 2273
eligible offender or state of emergency-qualifying offender, 2274
shall place the offender under an appropriate community control 2275
sanction, under appropriate conditions, and under the 2276
supervision of the department of probation serving the court and 2277
shall reserve the right to reimpose the sentence that it reduced 2278
if the offender violates the sanction. If the court reimposes 2279
the reduced sentence, it may do so either concurrently with, or 2280
consecutive to, any new sentence imposed on the eligible 2281
offender or state of emergency-qualifying offender as a result 2282
of the violation that is a new offense. Except as provided in 2283
division (N)(5)(b) of this section, the period of community 2284
control shall be no longer than five years. The court, in its 2285
discretion, may reduce the period of community control by the 2286
amount of time the offender spent in jail or prison for the 2287
offense and in prison. If the court made any findings pursuant 2288
to division (J)(1) of this section, the court shall serve a copy 2289
of the findings upon counsel for the parties within fifteen days 2290
after the date on which the court grants the motion for judicial 2291

release. 2292

If the court grants a motion for judicial release, the 2293
court shall notify the appropriate person at the department of 2294
rehabilitation and correction, and the department shall post 2295
notice of the release on the database it maintains pursuant to 2296
section 5120.66 of the Revised Code. The court also shall notify 2297
the prosecuting attorney of the county in which the eligible 2298
offender or state of emergency-qualifying offender was indicted 2299
that the motion has been granted. When notice to the victim is 2300
required under the Ohio Constitution, the prosecuting attorney 2301
shall notify the victim and the victim's representative, if 2302
applicable, of the judicial release. In all other cases, unless 2303
the victim or the victim's representative has requested pursuant 2304
to division (B)(2) of section 2930.03 of the Revised Code that 2305
the victim or victim's representative not be provided the 2306
notice, the prosecuting attorney shall notify the victim and the 2307
victim's representative, if applicable, of the judicial release 2308
in any manner, and in accordance with the same procedures, 2309
pursuant to which the prosecuting attorney is authorized to 2310
provide notice of the hearing pursuant to division (E)(2) of 2311
this section. If the notice is based on an offense committed 2312
prior to March 22, 2013, the notice to the victim or victim's 2313
representative also shall include the opt-out information 2314
described in division (D)(1) of section 2930.16 of the Revised 2315
Code. 2316

(L) In addition to and independent of the right of a 2317
victim to make a statement pursuant to section 2930.14, 2930.17, 2318
or 2946.051 of the Revised Code and any right of a person to 2319
present written information or make a statement pursuant to 2320
division (I) of this section, any person may submit to the 2321
court, at any time prior to the hearing on the motion for 2322

judicial release of the eligible offender or state of emergency- 2323
qualifying offender, a written statement concerning the effects 2324
of the offender's criminal offense, the circumstances 2325
surrounding the criminal offense, the manner in which the 2326
criminal offense was perpetrated, and the person's opinion as to 2327
whether the offender should be released. 2328

(M) (1) The changes to this section that are made on 2329
September 30, 2011, apply to any judicial release decision made 2330
on or after September 30, 2011, for any eligible offender, 2331
subject to division (M) (2) of this section. 2332

(2) The changes to this section that are made on April 4, 2333
2023, apply to any judicial release application, and any 2334
judicial release decision, made on or after April 4, 2023, for 2335
any eligible offender or state of emergency-qualifying offender. 2336

(N) (1) Notwithstanding the eligibility requirements 2337
specified in divisions (A) (1) and (2) of this section and the 2338
filing time frames specified in division (C) of this section and 2339
notwithstanding the findings required under division (J) (1) and 2340
the eligibility criteria specified in division (J) (3) of this 2341
section, the sentencing court, upon the court's own motion and 2342
after considering whether the release of the offender into 2343
society would create undue risk to public safety, may grant a 2344
judicial release to an offender who is not serving a life 2345
sentence at any time during the offender's imposed sentence when 2346
the director of rehabilitation and correction certifies to the 2347
sentencing court through the chief medical officer for the 2348
department of rehabilitation and correction that the offender is 2349
in imminent danger of death, is medically incapacitated, or has 2350
a terminal illness. 2351

(2) The director of rehabilitation and correction shall 2352

not certify any offender under division (N)(1) of this section 2353
who is serving a death sentence. 2354

(3) A motion made by the court under division (N)(1) of 2355
this section is subject to the notice, hearing, and other 2356
procedural requirements specified in divisions (D), (E), (G), 2357
(H), (I), (K), and (L) of this section with respect to motions 2358
for a grant of judicial release to eligible offenders, including 2359
notice to the victim, except for the following: 2360

(a) The court may waive the offender's appearance at any 2361
hearing scheduled by the court if the offender's condition makes 2362
it impossible for the offender to participate meaningfully in 2363
the proceeding. 2364

(b) The court may grant the motion without a hearing, 2365
provided that the prosecuting attorney, victim, and victim's 2366
representative, if applicable, to whom notice of the hearing was 2367
provided under division (E) of this section indicate that they 2368
do not wish to participate in the hearing or present information 2369
relevant to the motion. 2370

(4) The court may request health care records from the 2371
department of rehabilitation and correction to verify the 2372
certification made under division (N)(1) of this section. 2373

(5)(a) If the court grants judicial release under division 2374
(N)(1) of this section, the court shall do all of the following: 2375

(i) Order the release of the offender; 2376

(ii) Place the offender under an appropriate community 2377
control sanction, under appropriate conditions; 2378

(iii) Place the offender under the supervision of the 2379
department of probation serving the court or under the 2380

supervision of the adult parole authority. 2381

(b) The court, in its discretion, may revoke the judicial 2382
release if the offender violates the community control sanction 2383
described in division (N)(5)(a) of this section. The period of 2384
that community control is not subject to the five-year 2385
limitation described in division (K) of this section and shall 2386
not expire earlier than the date on which all of the offender's 2387
mandatory prison terms expire. 2388

(6) If the health of an offender who is released under 2389
division (N)(1) of this section improves so that the offender is 2390
no longer terminally ill, medically incapacitated, or in 2391
imminent danger of death, the court shall, upon the court's own 2392
motion, revoke the judicial release. The court shall not grant 2393
the motion without a hearing unless the offender waives a 2394
hearing. If a hearing is held, the court shall afford the 2395
offender and the offender's attorney an opportunity to present 2396
written and, if the offender or the offender's attorney is 2397
present, oral information relevant to the motion. The court 2398
shall afford a similar opportunity to the prosecuting attorney, 2399
the victim, the victim's representative, the victim's attorney, 2400
if applicable, and any other person the court determines is 2401
likely to present additional relevant information. If a hearing 2402
is held, the prosecuting attorney shall notify the victim and 2403
the victim's representative, if applicable, pursuant to the Ohio 2404
Constitution. A court that grants a motion under this division 2405
shall specify its findings on the record. 2406

(O)(1) Separate from and independent of the provisions of 2407
divisions (A) to (N) of this section, the director of the 2408
department of rehabilitation and correction may recommend in 2409
writing to the sentencing court that the court consider 2410

releasing from prison, through a judicial release, any offender 2411
who is confined in a state correctional institution and who is 2412
an eighty per cent-qualifying offender. The director may file 2413
such a recommendation for judicial release by submitting to the 2414
sentencing court a notice, in writing, of the recommendation 2415
within the applicable period specified in division (A)(3) of 2416
this section for qualifying as an eighty per cent-qualifying 2417
offender. 2418

The director shall include with any notice submitted to 2419
the sentencing court under this division an institutional 2420
summary report that covers the offender's participation while 2421
confined in a state correctional institution in school, 2422
training, work, treatment, and other rehabilitative activities 2423
and any disciplinary action taken against the offender while so 2424
confined. The director shall include with the notice any other 2425
documentation requested by the court, if available. 2426

If the director submits a notice under this division 2427
recommending judicial release, the department promptly shall 2428
provide to the prosecuting attorney of the county in which the 2429
offender was indicted a copy of the written notice and 2430
recommendation, a copy of the institutional summary report, and 2431
any other information provided to the court, and shall provide a 2432
copy of the institutional summary report to any law enforcement 2433
agency that requests the report. The department also shall 2434
provide written notice of the submission of the director's 2435
notice to any victim of the offender or victim's representative, 2436
if applicable, in the same manner as is specified in divisions 2437
(E)(1) and (2) of this section with respect to notices of 2438
hearings. 2439

(2) A recommendation for judicial release in a notice 2440

submitted by the director under division (O) (1) of this section 2441
is subject to the notice, hearing, and other procedural 2442
requirements specified in divisions (E), (H), (I), and (L) of 2443
this section, including notice to the victim pursuant to the 2444
Ohio Constitution, except as otherwise specified in divisions 2445
(O) (3) to (5) of this section, provided that references in 2446
divisions (E), (H), (I), (K), and (L) of this section to "the 2447
motion" shall be construed for purposes of division (O) of this 2448
section as being references to the notice and recommendation 2449
specified in division (O) (1) of this section. 2450

(3) The director's submission of a notice under division 2451
(O) (1) of this section constitutes a recommendation by the 2452
director that the court strongly consider a judicial release of 2453
the offender consistent with the purposes and principles of 2454
sentencing set forth in sections 2929.11 and 2929.13 of the 2455
Revised Code and establishes a rebuttable presumption that the 2456
offender shall be released through a judicial release in 2457
accordance with the recommendation. The presumption of release 2458
may be rebutted only as described in division (O) (6) of this 2459
section. Only an offender recommended by the director under 2460
division (O) (1) of this section may be considered for a judicial 2461
release under division (O) of this section. 2462

(4) Upon receipt of a notice recommending judicial release 2463
submitted by the director under division (O) (1) of this section, 2464
the court shall schedule a hearing to consider the 2465
recommendation for the judicial release of the offender who is 2466
the subject of the notice. The hearing shall be conducted in 2467
open court not less than thirty or more than sixty days after 2468
the notice is submitted. The court shall inform the department 2469
and the prosecuting attorney of the county in which the offender 2470
who is the subject of the notice was indicted of the date, time, 2471

and location of the hearing. Upon receipt of the notice from the 2472
court, the prosecuting attorney shall comply with division (E) 2473
of this section, including providing notice to the victim and 2474
the victim's representative, if applicable, pursuant to the Ohio 2475
Constitution, and the department shall post the information 2476
specified in that division. 2477

(5) When a court schedules a hearing under division (O) (4) 2478
of this section, at the hearing, the court shall consider all of 2479
the following in determining whether to grant the offender 2480
judicial release under division (O) of this section: 2481

(a) The institutional summary report submitted under 2482
division (O) (1) of this section; 2483

(b) The inmate's academic, vocational education programs, 2484
or alcohol or drug treatment programs; or involvement in 2485
meaningful activity; 2486

(c) The inmate's assignments and whether the inmate 2487
consistently performed each work assignment to the satisfaction 2488
of the department staff responsible for supervising the inmate's 2489
work; 2490

(d) The inmate transferred to and actively participated in 2491
core curriculum programming at a reintegration center prison; 2492

(e) The inmate's disciplinary history; 2493

(f) The inmate's security level; 2494

(g) All other information, statements, reports, and 2495
documentation described in division (I) of this section. 2496

(6) If the court that receives a notice recommending 2497
judicial release submitted by the director under division (O) (1) 2498
of this section makes an initial determination that the offender 2499

satisfies the criteria for being an eighty per cent-qualifying
offender, the court then shall determine whether to grant the
offender judicial release. In making the second determination,
the court shall grant the offender judicial release unless the
prosecuting attorney proves to the court, by a preponderance of
the evidence, that the legitimate interests of the government in
maintaining the offender's confinement outweigh the interests of
the offender in being released from that confinement. If the
court grants a judicial release under this division, division
(K) of this section applies regarding the judicial release,
including notice to the victim and the victim's representative,
if applicable, pursuant to the Ohio Constitution, provided that
references in division (K) of this section to "the motion" shall
be construed for purposes of the judicial release granted under
this division as being references to the notice and
recommendation specified in division (O)(1) of this section.

The court shall enter its ruling on the notice
recommending judicial release submitted by the director under
division (O)(1) of this section within ten days after the
hearing is conducted. After ruling on whether to grant the
offender judicial release under division (O) of this section,
the court shall notify the offender, the prosecuting attorney,
and the department of rehabilitation and correction of its
decision, and shall notify the victim of its decision in
accordance with the Ohio Constitution and sections 2930.03 and
2930.16 of the Revised Code. If the court does not enter a
ruling on the notice within ten days after the hearing is
conducted as required under this division, the division of
parole and community services of the department of
rehabilitation and correction may release the offender.

(P) All notices to a victim of an offense provided under

division (D), (E), (K), (N), or (O) of this section shall be 2531
provided in accordance with the Ohio Constitution. 2532

Sec. 2967.26. (A) (1) The department of rehabilitation and 2533
correction, by rule, may establish a transitional control 2534
program for the purpose of closely monitoring a prisoner's 2535
adjustment to community supervision during the final one hundred 2536
eighty days of the prisoner's confinement. If the department 2537
establishes a transitional control program under this division, 2538
the division of parole and community services of the department 2539
of rehabilitation and correction may transfer eligible prisoners 2540
to transitional control status under the program during the 2541
final one hundred eighty days of their confinement and under the 2542
terms and conditions established by the department, shall 2543
provide for the confinement as provided in this division of each 2544
eligible prisoner so transferred, and shall supervise each 2545
eligible prisoner so transferred in one or more community 2546
control sanctions. Each eligible prisoner who is transferred to 2547
transitional control status under the program shall be confined 2548
in a suitable facility that is licensed pursuant to division (C) 2549
of section 2967.14 of the Revised Code, or shall be confined in 2550
a residence the department has approved for this purpose and be 2551
monitored pursuant to an electronic monitoring device, as 2552
defined in section 2929.01 of the Revised Code. If the 2553
department establishes a transitional control program under this 2554
division, the rules establishing the program shall include 2555
criteria that define which prisoners are eligible for the 2556
program, criteria that must be satisfied to be approved as a 2557
residence that may be used for confinement under the program of 2558
a prisoner that is transferred to it and procedures for the 2559
department to approve residences that satisfy those criteria, 2560
and provisions of the type described in division (C) of this 2561

section. At a minimum, the criteria that define which prisoners 2562
are eligible for the program shall provide all of the following: 2563

(a) That a prisoner is eligible for the program if the 2564
prisoner is serving a prison term or term of imprisonment for an 2565
offense committed prior to March 17, 1998, and if, at the time 2566
at which eligibility is being determined, the prisoner would 2567
have been eligible for a furlough under this section as it 2568
existed immediately prior to March 17, 1998, or would have been 2569
eligible for conditional release under former section 2967.23 of 2570
the Revised Code as that section existed immediately prior to 2571
March 17, 1998; 2572

(b) That no prisoner who is serving a mandatory prison 2573
term is eligible for the program until after expiration of the 2574
mandatory term; 2575

(c) That no prisoner who is serving a prison term or term 2576
of life imprisonment without parole imposed pursuant to section 2577
2971.03 of the Revised Code is eligible for the program. 2578

(2) At least sixty days prior to transferring to 2579
transitional control under this section a prisoner who is 2580
serving a definite term of imprisonment or definite prison term 2581
of less than one year for an offense committed on or after July 2582
1, 1996, or who is serving a minimum term of less than one year 2583
under a non-life felony indefinite prison term, on or after 2584
April 4, 2023, the division of parole and community services of 2585
the department of rehabilitation and correction shall give 2586
notice of the pendency of the transfer to transitional control 2587
to the court of common pleas of the county in which the 2588
indictment against the prisoner was found and of the fact that 2589
the court may disapprove the transfer of the prisoner to 2590
transitional control and shall include the institutional summary 2591

report prepared by the head of the state correctional 2592
institution in which the prisoner is confined. The head of the 2593
state correctional institution in which the prisoner is 2594
confined, upon the request of the division of parole and 2595
community services, shall provide to the division for inclusion 2596
in the notice sent to the court under this division an 2597
institutional summary report on the prisoner's conduct in the 2598
institution and in any institution from which the prisoner may 2599
have been transferred. The institutional summary report shall 2600
cover the prisoner's participation in school, vocational 2601
training, work, treatment, and other rehabilitative activities 2602
and any disciplinary action taken against the prisoner. If the 2603
court disapproves of the transfer of the prisoner to 2604
transitional control, the court shall notify the division of the 2605
disapproval within thirty days after receipt of the notice. If 2606
the court timely disapproves the transfer of the prisoner to 2607
transitional control, the division shall not proceed with the 2608
transfer. If the court does not timely disapprove the transfer 2609
of the prisoner to transitional control, the division may 2610
transfer the prisoner to transitional control. 2611

(3) (a) If the victim of an offense for which a prisoner 2612
was sentenced to a prison term or term of imprisonment has 2613
requested notification under section 2930.16 of the Revised Code 2614
and has provided the department of rehabilitation and correction 2615
with the victim's name and address or if division (A) (3) (b) of 2616
this section applies, the division of parole and community 2617
services, at least sixty days prior to transferring the prisoner 2618
to transitional control pursuant to this section, shall notify 2619
the victim and the victim's representative, if applicable, of 2620
the pendency of the transfer and of the victim's and victim's 2621
representative's right to submit a statement to the division 2622

regarding the impact of the transfer of the prisoner to 2623
transitional control. If the victim or victim's representative's 2624
subsequently submits a statement of that nature to the division, 2625
the division shall consider the statement in deciding whether to 2626
transfer the prisoner to transitional control. 2627

(b) If a prisoner is incarcerated for the commission of 2628
aggravated murder, murder, or an offense of violence that is a 2629
felony of the first, second, or third degree or under a sentence 2630
of life imprisonment, except as otherwise provided in this 2631
division, the notice described in division (A) (3) (a) of this 2632
section shall be given regardless of whether the victim has 2633
requested the notification. The notice described in division (A) 2634
(3) (a) of this section shall not be given under this division to 2635
a victim if the victim has requested pursuant to division (B) (2) 2636
of section 2930.03 of the Revised Code that the victim not be 2637
provided the notice. If notice is to be provided to a victim 2638
under this division, the authority may give the notice by any 2639
reasonable means, including regular mail, telephone, and 2640
electronic mail, in accordance with division (D) (1) of section 2641
2930.16 of the Revised Code. If the notice is based on an 2642
offense committed prior to March 22, 2013, the notice also shall 2643
include the opt-out information described in division (D) (1) of 2644
section 2930.16 of the Revised Code. The authority, in 2645
accordance with division (D) (2) of section 2930.16 of the 2646
Revised Code, shall keep a record of all attempts to provide the 2647
notice, and of all notices provided, under this division. 2648

Division (A) (3) (b) of this section, and the notice-related 2649
provisions of divisions (E) (2) and (K) of section 2929.20, 2650
division (D) (1) of section 2930.16, division (H) of section 2651
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2652
prior to April 4, 2023, division (D) (1) of section 2967.28, and 2653

division (A) (2) of section 5149.101 of the Revised Code enacted 2654
in the act in which division (A) (3) (b) of this section was 2655
enacted, shall be known as "Roberta's Law." 2656

(4) The department of rehabilitation and correction, at 2657
least sixty days prior to transferring a prisoner to 2658
transitional control pursuant to this section, shall post on the 2659
database it maintains pursuant to section 5120.66 of the Revised 2660
Code the prisoner's name and all of the information specified in 2661
division (A) (1) (c) (iv) of that section. In addition to and 2662
independent of the right of a victim to submit a statement as 2663
described in division (A) (3) of this section or to otherwise 2664
make a statement and in addition to and independent of any other 2665
right or duty of a person to present information or make a 2666
statement, any person may send to the division of parole and 2667
community services at any time prior to the division's transfer 2668
of the prisoner to transitional control a written statement 2669
regarding the transfer of the prisoner to transitional control. 2670
In addition to the information, reports, and statements it 2671
considers under divisions (A) (2) and (3) of this section or that 2672
it otherwise considers, the division shall consider each 2673
statement submitted in accordance with this division in deciding 2674
whether to transfer the prisoner to transitional control. 2675

(B) Each prisoner transferred to transitional control 2676
under this section shall be confined in the manner described in 2677
division (A) of this section during any period of time that the 2678
prisoner is not actually working at the prisoner's approved 2679
employment, engaged in a vocational training or another 2680
educational program, engaged in another program designated by 2681
the director, or engaged in other activities approved by the 2682
department. 2683

(C) The department of rehabilitation and correction shall 2684
adopt rules for transferring eligible prisoners to transitional 2685
control, supervising and confining prisoners so transferred, 2686
administering the transitional control program in accordance 2687
with this section, and using the moneys deposited into the 2688
transitional control fund established under division (E) of this 2689
section. 2690

(D) The department of rehabilitation and correction may 2691
adopt rules for the issuance of passes for the limited purposes 2692
described in this division to prisoners who are transferred to 2693
transitional control under this section. If the department 2694
adopts rules of that nature, the rules shall govern the granting 2695
of the passes and shall provide for the supervision of prisoners 2696
who are temporarily released pursuant to one of those passes. 2697
Upon the adoption of rules under this division, the department 2698
may issue passes to prisoners who are transferred to 2699
transitional control status under this section in accordance 2700
with the rules and the provisions of this division. All passes 2701
issued under this division shall be for a maximum of forty-eight 2702
hours and may be issued only for the following purposes: 2703

(1) To visit a relative in imminent danger of death; 2704

(2) To have a private viewing of the body of a deceased 2705
relative; 2706

(3) To visit with family; 2707

(4) To otherwise aid in the rehabilitation of the 2708
prisoner. 2709

(E) The division of parole and community services may 2710
require a prisoner who is transferred to transitional control to 2711
pay to the division the reasonable expenses incurred by the 2712

division in supervising or confining the prisoner while under 2713
transitional control. Inability to pay those reasonable expenses 2714
shall not be grounds for refusing to transfer an otherwise 2715
eligible prisoner to transitional control. Amounts received by 2716
the division of parole and community services under this 2717
division shall be deposited into the transitional control fund, 2718
which is hereby created in the state treasury and which hereby 2719
replaces and succeeds the furlough services fund that formerly 2720
existed in the state treasury. All moneys that remain in the 2721
furlough services fund on March 17, 1998, shall be transferred 2722
on that date to the transitional control fund. The transitional 2723
control fund shall be used solely to pay costs related to the 2724
operation of the transitional control program established under 2725
this section. The director of rehabilitation and correction 2726
shall adopt rules in accordance with section 111.15 of the 2727
Revised Code for the use of the fund. 2728

(F) A prisoner who violates any rule established by the 2729
department of rehabilitation and correction under division (A), 2730
(C), or (D) of this section may be transferred to a state 2731
correctional institution pursuant to rules adopted under 2732
division (A), (C), or (D) of this section, but the prisoner 2733
shall receive credit towards completing the prisoner's sentence 2734
for the time spent under transitional control. 2735

If a prisoner is transferred to transitional control under 2736
this section, upon successful completion of the period of 2737
transitional control, the prisoner may be released on parole or 2738
under post-release control pursuant to section 2967.13 or 2739
2967.28 of the Revised Code and rules adopted by the department 2740
of rehabilitation and correction. If the prisoner is released 2741
under post-release control, the duration of the post-release 2742
control, the type of post-release control sanctions that may be 2743

imposed, the enforcement of the sanctions, and the treatment of 2744
prisoners who violate any sanction applicable to the prisoner 2745
are governed by section 2967.28 of the Revised Code. 2746

Sec. 3109.055. (A) If a child is born to an unmarried 2747
woman and the father of the child has acknowledged the child and 2748
that acknowledgment has become final pursuant to section 2749
2151.232, 3111.25, or 3111.821 of the Revised Code or has been 2750
determined in an action under Chapter 3111. of the Revised Code 2751
to be the father of the child, the court, upon its own motion or 2752
the motion of one of the parties, may order the parents to 2753
undergo conciliation with a magistrate in order to resolve any 2754
disputes regarding the allocation of parental rights and 2755
responsibilities between the parents in a case pending before 2756
the court. An order requiring conciliation shall set forth the 2757
the name of the magistrate who will serve as the conciliator and 2758
the manner in which the costs of any conciliation procedures are 2759
to be paid. 2760

(B) A magistrate who serves as a conciliator shall use 2761
conciliation procedures to resolve a dispute regarding the 2762
allocation of parental rights and responsibilities and, upon 2763
resolution of the dispute, issue an order regarding the 2764
allocation of parental rights and responsibilities, parenting 2765
time, or companionship or visitation pursuant to section 2766
2151.23, 3109.04, or 3109.12 of the Revised Code. The 2767
conciliation procedures may include without limitation the use 2768
of family counselors and service agencies, community health 2769
services, physicians, licensed psychologists, or clergy. If the 2770
magistrate orders the parties to undergo family counseling, the 2771
magistrate shall name the counselor and set forth the required 2772
type of counseling, the length of time for the counseling, and 2773
any other specific conditions. No order regarding the allocation 2774

of parental rights and responsibilities, parenting time, or 2775
companionship or visitation shall be issued until the 2776
conciliation has concluded and been reported to the magistrate. 2777

Sec. 3517.01. (A) (1) A political party within the meaning 2778
of Title XXXV of the Revised Code is any group of voters that 2779
meets either of the following requirements: 2780

(a) Except as otherwise provided in this division, at the 2781
most recent regular state election, the group polled for its 2782
candidate for governor in the state or nominees for presidential 2783
electors at least three per cent of the entire vote cast for 2784
that office. A group that meets the requirements of this 2785
division remains a political party for a period of four years 2786
after meeting those requirements. 2787

(b) The group filed with the secretary of state, 2788
subsequent to its failure to meet the requirements of division 2789
(A) (1) (a) of this section, a party formation petition that meets 2790
all of the following requirements: 2791

(i) The petition is signed by qualified electors equal in 2792
number to at least one per cent of the total vote for governor 2793
or nominees for presidential electors at the most recent 2794
election for such office. 2795

(ii) The petition is signed by not fewer than five hundred 2796
qualified electors from each of at least a minimum of one-half 2797
of the congressional districts in this state. If an odd number 2798
of congressional districts exists in this state, the number of 2799
districts that results from dividing the number of congressional 2800
districts by two shall be rounded up to the next whole number. 2801

(iii) The petition declares the petitioners' intention of 2802
organizing a political party, the name of which shall be stated 2803

in the declaration, and of participating in the succeeding 2804
general election, held in even-numbered years, that occurs more 2805
than one hundred twenty-five days after the date of filing. 2806

(iv) The petition designates a committee of not less than 2807
three nor more than five individuals of the petitioners, who 2808
shall represent the petitioners in all matters relating to the 2809
petition. Notice of all matters or proceedings pertaining to the 2810
petition may be served on the committee, or any of them, either 2811
personally or by registered mail, or by leaving such notice at 2812
the usual place of residence of each of them. 2813

(2) No such group of electors shall assume a name or 2814
designation that is similar, in the opinion of the secretary of 2815
state, to that of an existing political party as to confuse or 2816
mislead the voters at an election. 2817

(B) A campaign committee shall be legally liable for any 2818
debts, contracts, or expenditures incurred or executed in its 2819
name. 2820

(C) Notwithstanding the definitions found in section 2821
3501.01 of the Revised Code, as used in this section and 2822
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 2823
Revised Code: 2824

(1) "Campaign committee" means a candidate or a 2825
combination of two or more persons authorized by a candidate 2826
under section 3517.081 of the Revised Code to receive 2827
contributions and make expenditures. 2828

(2) "Campaign treasurer" means an individual appointed by 2829
a candidate under section 3517.081 of the Revised Code. 2830

(3) "Candidate" has the same meaning as in division (H) of 2831
section 3501.01 of the Revised Code and also includes any person 2832

who, at any time before or after an election, receives 2833
contributions or makes expenditures or other use of 2834
contributions, has given consent for another to receive 2835
contributions or make expenditures or other use of 2836
contributions, or appoints a campaign treasurer, for the purpose 2837
of bringing about the person's nomination or election to public 2838
office. When two persons jointly seek the offices of governor 2839
and lieutenant governor, "candidate" means the pair of 2840
candidates jointly. "Candidate" does not include candidates for 2841
election to the offices of member of a county or state central 2842
committee, presidential elector, and delegate to a national 2843
convention or conference of a political party. 2844

(4) "Continuing association" means an association, other 2845
than a campaign committee, political party, legislative campaign 2846
fund, political contributing entity, or labor organization, that 2847
is intended to be a permanent organization that has a primary 2848
purpose other than supporting or opposing specific candidates, 2849
political parties, or ballot issues, and that functions on a 2850
regular basis throughout the year. "Continuing association" 2851
includes organizations that are determined to be not organized 2852
for profit under subsection 501 and that are described in 2853
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 2854
Revenue Code. 2855

(5) "Contribution" means a loan, gift, deposit, 2856
forgiveness of indebtedness, donation, advance, payment, or 2857
transfer of funds or anything of value, including a transfer of 2858
funds from an inter vivos or testamentary trust or decedent's 2859
estate, and the payment by any person other than the person to 2860
whom the services are rendered for the personal services of 2861
another person, which contribution is made, received, or used 2862
for the purpose of influencing the results of an election. Any 2863

loan, gift, deposit, forgiveness of indebtedness, donation, 2864
advance, payment, or transfer of funds or of anything of value, 2865
including a transfer of funds from an inter vivos or 2866
testamentary trust or decedent's estate, and the payment by any 2867
campaign committee, political action committee, legislative 2868
campaign fund, political party, political contributing entity, 2869
or person other than the person to whom the services are 2870
rendered for the personal services of another person, that is 2871
made, received, or used by a state or county political party, 2872
other than the moneys an entity may receive under sections 2873
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 2874
considered to be a "contribution" for the purpose of section 2875
3517.10 of the Revised Code and shall be included on a statement 2876
of contributions filed under that section. 2877

"Contribution" does not include any of the following: 2878

(a) Services provided without compensation by individuals 2879
volunteering a portion or all of their time on behalf of a 2880
person; 2881

(b) Ordinary home hospitality; 2882

(c) The personal expenses of a volunteer paid for by that 2883
volunteer campaign worker; 2884

(d) Any gift given to an entity pursuant to section 2885
3517.101 of the Revised Code; 2886

(e) Any contribution as defined in section 3517.1011 of 2887
the Revised Code that is made, received, or used to pay the 2888
direct costs of producing or airing an electioneering 2889
communication; 2890

(f) Any gift given to a state or county political party 2891
for the party's restricted fund under division (A) (2) of section 2892

3517.1012 of the Revised Code; 2893

(g) Any gift given to a state political party for deposit 2894
in a Levin account pursuant to section 3517.1013 of the Revised 2895
Code. As used in this division, "Levin account" has the same 2896
meaning as in that section. 2897

(h) Any donation given to a transition fund under section 2898
3517.1014 of the Revised Code. 2899

(6) "Expenditure" means the disbursement or use of a 2900
contribution or other funds for the purpose of influencing the 2901
results of an election or of making a charitable donation under 2902
division (G) of section 3517.08 of the Revised Code. Any 2903
disbursement or use of a contribution by a state or county 2904
political party is an expenditure and shall be considered either 2905
to be made for the purpose of influencing the results of an 2906
election or to be made as a charitable donation under division 2907
(G) of section 3517.08 of the Revised Code and shall be reported 2908
on a statement of expenditures filed under section 3517.10 of 2909
the Revised Code. During the thirty days preceding a primary or 2910
general election, any disbursement to pay the direct costs of 2911
producing or airing a broadcast, cable, or satellite 2912
communication that refers to a clearly identified candidate 2913
shall be considered to be made for the purpose of influencing 2914
the results of that election and shall be reported as an 2915
expenditure or as an independent expenditure under section 2916
3517.10 or 3517.105 of the Revised Code, as applicable, except 2917
that the information required to be reported regarding 2918
contributors for those expenditures or independent expenditures 2919
shall be the same as the information required to be reported 2920
under divisions (D) (1) and (2) of section 3517.1011 of the 2921
Revised Code. 2922

As used in this division, "broadcast, cable, or satellite
communication" and "refers to a clearly identified candidate"
have the same meanings as in section 3517.1011 of the Revised
Code.

(7) "Personal expenses" includes, but is not limited to,
ordinary expenses for accommodations, clothing, food, personal
motor vehicle or airplane, and home telephone.

(8) "Political action committee" means a combination of
two or more persons, the primary or major purpose of which is to
support or oppose any candidate, political party, or issue, or
to influence the result of any election through express
advocacy, and that is not a political party, a campaign
committee, a political contributing entity, or a legislative
campaign fund. "Political action committee" does not include
either of the following:

(a) A continuing association that makes disbursements for
the direct costs of producing or airing electioneering
communications and that does not engage in express advocacy;

(b) A political club that is formed primarily for social
purposes and that consists of one hundred members or less, has
officers and periodic meetings, has less than two thousand five
hundred dollars in its treasury at all times, and makes an
aggregate total contribution of one thousand dollars or less per
calendar year.

(9) "Public office" means any state, county, municipal,
township, or district office, except an office of a political
party, that is filled by an election and the offices of United
States senator and representative.

(10) "Anything of value" has the same meaning as in

section 1.03 of the Revised Code. 2952

(11) "Beneficiary of a campaign fund" means a candidate, a 2953
public official or employee for whose benefit a campaign fund 2954
exists, and any other person who has ever been a candidate or 2955
public official or employee and for whose benefit a campaign 2956
fund exists. 2957

(12) "Campaign fund" means money or other property, 2958
including contributions. 2959

(13) "Public official or employee" has the same meaning as 2960
in section 102.01 of the Revised Code. 2961

(14) "Caucus" means all of the members of the house of 2962
representatives or all of the members of the senate of the 2963
general assembly who are members of the same political party. 2964

(15) "Legislative campaign fund" means a fund that is 2965
established as an auxiliary of a state political party and 2966
associated with one of the houses of the general assembly. 2967

(16) "In-kind contribution" means anything of value other 2968
than money that is used to influence the results of an election 2969
or is transferred to or used in support of or in opposition to a 2970
candidate, campaign committee, legislative campaign fund, 2971
political party, political action committee, or political 2972
contributing entity and that is made with the consent of, in 2973
coordination, cooperation, or consultation with, or at the 2974
request or suggestion of the benefited candidate, committee, 2975
fund, party, or entity. The financing of the dissemination, 2976
distribution, or republication, in whole or part, of any 2977
broadcast or of any written, graphic, or other form of campaign 2978
materials prepared by the candidate, the candidate's campaign 2979
committee, or their authorized agents is an in-kind contribution 2980

to the candidate and an expenditure by the candidate. 2981

~~(17)~~(17) (a) "Independent expenditure" means ~~an~~ either of 2982
the following: 2983

(i) An expenditure by a person advocating the election or 2984
defeat of an identified candidate or candidates, that is not 2985
made with the consent of, in coordination, cooperation, or 2986
consultation with, or at the request or suggestion of any 2987
candidate or candidates or of the campaign committee or agent of 2988
the candidate or candidates; 2989

(ii) An expenditure by a person advocating support of or 2990
opposition to an identified ballot issue or question or to 2991
achieve the successful circulation of an initiative or 2992
referendum petition in order to place such an issue or question 2993
on the ballot, regardless of whether the ballot issue or 2994
question has yet been certified to appear on the ballot. As- 2995

(b) As used in division ~~(C) (17)~~-(C) (17) (a) of this 2996
section: 2997

~~(a)~~(i) "Person" means an individual, partnership, 2998
unincorporated business organization or association, political 2999
action committee, political contributing entity, separate 3000
segregated fund, association, or other organization or group of 3001
persons, but not a labor organization or a corporation unless 3002
the labor organization or corporation is a political 3003
contributing entity. 3004

~~(b)~~(ii) "Advocating" means any communication containing a 3005
message advocating election or defeat. 3006

~~(c)~~(iii) "Identified candidate" means that the name of 3007
the candidate appears, a photograph or drawing of the candidate 3008
appears, or the identity of the candidate is otherwise apparent 3009

by unambiguous reference. 3010

~~(d)~~ (iv) "Made in coordination, cooperation, or 3011
consultation with, or at the request or suggestion of, any 3012
candidate or the campaign committee or agent of the candidate" 3013
means made pursuant to any arrangement, coordination, or 3014
direction by the candidate, the candidate's campaign committee, 3015
or the candidate's agent prior to the publication, distribution, 3016
display, or broadcast of the communication. An expenditure is 3017
presumed to be so made when it is any of the following: 3018

~~(i)~~ (I) Based on information about the candidate's plans, 3019
projects, or needs provided to the person making the expenditure 3020
by the candidate, or by the candidate's campaign committee or 3021
agent, with a view toward having an expenditure made; 3022

~~(ii)~~ (II) Made by or through any person who is, or has 3023
been, authorized to raise or expend funds, who is, or has been, 3024
an officer of the candidate's campaign committee, or who is, or 3025
has been, receiving any form of compensation or reimbursement 3026
from the candidate or the candidate's campaign committee or 3027
agent; 3028

~~(iii)~~ (III) Except as otherwise provided in division (D) 3029
of section 3517.105 of the Revised Code, made by a political 3030
party in support of a candidate, unless the expenditure is made 3031
by a political party to conduct voter registration or voter 3032
education efforts. 3033

~~(e)~~ (v) "Agent" means any person who has actual oral or 3034
written authority, either express or implied, to make or to 3035
authorize the making of expenditures on behalf of a candidate, 3036
or means any person who has been placed in a position with the 3037
candidate's campaign committee or organization such that it 3038

would reasonably appear that in the ordinary course of campaign- 3039
related activities the person may authorize expenditures. 3040

(18) "Labor organization" means a labor union; an employee 3041
organization; a federation of labor unions, groups, locals, or 3042
other employee organizations; an auxiliary of a labor union, 3043
employee organization, or federation of labor unions, groups, 3044
locals, or other employee organizations; or any other bona fide 3045
organization in which employees participate and that exists for 3046
the purpose, in whole or in part, of dealing with employers 3047
concerning grievances, labor disputes, wages, hours, and other 3048
terms and conditions of employment. 3049

(19) "Separate segregated fund" means a separate 3050
segregated fund established pursuant to the Federal Election 3051
Campaign Act. 3052

(20) "Federal Election Campaign Act" means the "Federal 3053
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 3054
seq., as amended. 3055

(21) "Restricted fund" means the fund a state or county 3056
political party must establish under division (A)(1) of section 3057
3517.1012 of the Revised Code. 3058

(22) "Electioneering communication" has the same meaning 3059
as in section 3517.1011 of the Revised Code. 3060

(23) "Express advocacy" means a communication that 3061
contains express words advocating the nomination, election, or 3062
defeat of a candidate or that contains express words advocating 3063
the adoption or defeat of a question or issue, as determined by 3064
a final judgment of a court of competent jurisdiction. 3065

(24) "Political committee" has the same meaning as in 3066
section 3517.1011 of the Revised Code. 3067

(25) "Political contributing entity" means any entity, 3068
including a corporation or labor organization, that may lawfully 3069
make contributions and expenditures and that is not an 3070
individual or a political action committee, continuing 3071
association, campaign committee, political party, legislative 3072
campaign fund, designated state campaign committee, or state 3073
candidate fund. For purposes of this division, "lawfully" means 3074
not prohibited by any section of the Revised Code, or authorized 3075
by a final judgment of a court of competent jurisdiction. 3076

(26) "Internet identifier of record" has the same meaning 3077
as in section 9.312 of the Revised Code. 3078

Sec. 3517.10. (A) Except as otherwise provided in this 3079
division, every campaign committee, political action committee, 3080
legislative campaign fund, political party, and political 3081
contributing entity that made or received a contribution or made 3082
an expenditure in connection with the nomination or election of 3083
any candidate or in connection with any ballot issue or question 3084
at any election held or to be held in this state shall file, on 3085
a form prescribed under this section or by electronic means of 3086
transmission as provided in this section and section 3517.106 of 3087
the Revised Code, a full, true, and itemized statement, made 3088
under penalty of election falsification, setting forth in detail 3089
the contributions and expenditures, not later than four p.m. of 3090
the following dates: 3091

(1) The twelfth day before the election to reflect 3092
contributions received and expenditures made from the close of 3093
business on the last day reflected in the last previously filed 3094
statement, if any, to the close of business on the twentieth day 3095
before the election; 3096

(2) The thirty-eighth day after the election to reflect 3097

the contributions received and expenditures made from the close 3098
of business on the last day reflected in the last previously 3099
filed statement, if any, to the close of business on the seventh 3100
day before the filing of the statement; 3101

(3) The last business day of January of every year to 3102
reflect the contributions received and expenditures made from 3103
the close of business on the last day reflected in the last 3104
previously filed statement, if any, to the close of business on 3105
the last day of December of the previous year; 3106

(4) The last business day of July of every year to reflect 3107
the contributions received and expenditures made from the close 3108
of business on the last day reflected in the last previously 3109
filed statement, if any, to the close of business on the last 3110
day of June of that year. 3111

A campaign committee shall only be required to file the 3112
statements prescribed under divisions (A)(1) and (2) of this 3113
section in connection with the nomination or election of the 3114
committee's candidate. 3115

The statement required under division (A)(1) of this 3116
section shall not be required of any campaign committee, 3117
political action committee, legislative campaign fund, political 3118
party, or political contributing entity that has received 3119
contributions of less than one thousand dollars and has made 3120
expenditures of less than one thousand dollars at the close of 3121
business on the twentieth day before the election. Those 3122
contributions and expenditures shall be reported in the 3123
statement required under division (A)(2) of this section. 3124

If an election to select candidates to appear on the 3125
general election ballot is held within sixty days before a 3126

general election, the campaign committee of a successful 3127
candidate in the earlier election may file the statement 3128
required by division (A) (1) of this section for the general 3129
election instead of the statement required by division (A) (2) of 3130
this section for the earlier election if the pregeneral election 3131
statement reflects the status of contributions and expenditures 3132
for the period twenty days before the earlier election to twenty 3133
days before the general election. 3134

If a person becomes a candidate less than twenty days 3135
before an election, the candidate's campaign committee is not 3136
required to file the statement required by division (A) (1) of 3137
this section. 3138

No statement under division (A) (3) of this section shall 3139
be required for any year in which a campaign committee, 3140
political action committee, legislative campaign fund, political 3141
party, or political contributing entity is required to file a 3142
postgeneral election statement under division (A) (2) of this 3143
section. However, a statement under division (A) (3) of this 3144
section may be filed, at the option of the campaign committee, 3145
political action committee, legislative campaign fund, political 3146
party, or political contributing entity. 3147

No campaign committee of a candidate for the office of 3148
chief justice or justice of the supreme court, and no campaign 3149
committee of a candidate for the office of judge of any court in 3150
this state, shall be required to file a statement under division 3151
(A) (4) of this section. 3152

Except as otherwise provided in this paragraph and in the 3153
next paragraph of this section, the only campaign committees 3154
required to file a statement under division (A) (4) of this 3155
section are the campaign committee of a statewide candidate and 3156

the campaign committee of a candidate for county office. The 3157
campaign committee of a candidate for any other nonjudicial 3158
office is required to file a statement under division (A) (4) of 3159
this section if that campaign committee receives, during that 3160
period, contributions exceeding ten thousand dollars. 3161

No statement under division (A) (4) of this section shall 3162
be required of a campaign committee, a political action 3163
committee, a legislative campaign fund, a political party, or a 3164
political contributing entity for any year in which the campaign 3165
committee, political action committee, legislative campaign 3166
fund, political party, or political contributing entity is 3167
required to file a postprimary election statement under division 3168
(A) (2) of this section. However, a statement under division (A) 3169
(4) of this section may be filed at the option of the campaign 3170
committee, political action committee, legislative campaign 3171
fund, political party, or political contributing entity. 3172

No statement under division (A) (3) or (4) of this section 3173
shall be required if the campaign committee, political action 3174
committee, legislative campaign fund, political party, or 3175
political contributing entity has no contributions that it has 3176
received and no expenditures that it has made since the last 3177
date reflected in its last previously filed statement. However, 3178
the campaign committee, political action committee, legislative 3179
campaign fund, political party, or political contributing entity 3180
shall file a statement to that effect, on a form prescribed 3181
under this section and made under penalty of election 3182
falsification, on the date required in division (A) (3) or (4) of 3183
this section, as applicable. 3184

The campaign committee of a statewide candidate shall file 3185
a monthly statement of contributions received during each of the 3186

months of July, August, and September in the year of the general 3187
election in which the candidate seeks office. The campaign 3188
committee of a statewide candidate shall file the monthly 3189
statement not later than three business days after the last day 3190
of the month covered by the statement. During the period 3191
beginning on the nineteenth day before the general election in 3192
which a statewide candidate seeks election to office and 3193
extending through the day of that general election, each time 3194
the campaign committee of the joint candidates for the offices 3195
of governor and lieutenant governor or of a candidate for the 3196
office of secretary of state, auditor of state, treasurer of 3197
state, or attorney general receives a contribution from a 3198
contributor that causes the aggregate amount of contributions 3199
received from that contributor during that period to equal or 3200
exceed ten thousand dollars and each time the campaign committee 3201
of a candidate for the office of chief justice or justice of the 3202
supreme court receives a contribution from a contributor that 3203
causes the aggregate amount of contributions received from that 3204
contributor during that period to exceed ten thousand dollars, 3205
the campaign committee shall file a two-business-day statement 3206
reflecting that contribution. Contributions reported on a two- 3207
business-day statement required to be filed by a campaign 3208
committee of a statewide candidate in a primary election shall 3209
also be included in the postprimary election statement required 3210
to be filed by that campaign committee under division (A) (2) of 3211
this section. A two-business-day statement required by this 3212
paragraph shall be filed not later than two business days after 3213
receipt of the contribution. The statements required by this 3214
paragraph shall be filed in addition to any other statements 3215
required by this section. 3216

Subject to the secretary of state having implemented, 3217

tested, and verified the successful operation of any system the 3218
secretary of state prescribes pursuant to divisions (C) (6) (b) 3219
and (D) (6) of this section and division (F) (1) of section 3220
3517.106 of the Revised Code for the filing of campaign finance 3221
statements by electronic means of transmission, a campaign 3222
committee of a statewide candidate shall file a two-business-day 3223
statement under the preceding paragraph by electronic means of 3224
transmission if the campaign committee is required to file a 3225
pre-election, postelection, or monthly statement of 3226
contributions and expenditures by electronic means of 3227
transmission under this section or section 3517.106 of the 3228
Revised Code. 3229

If a campaign committee or political action committee has 3230
no balance on hand and no outstanding obligations and desires to 3231
terminate itself, it shall file a statement to that effect, on a 3232
form prescribed under this section and made under penalty of 3233
election falsification, with the official with whom it files a 3234
statement under division (A) of this section after filing a 3235
final statement of contributions and a final statement of 3236
expenditures, if contributions have been received or 3237
expenditures made since the period reflected in its last 3238
previously filed statement. 3239

(B) Except as otherwise provided in division (C) (7) of 3240
this section, each statement required by division (A) of this 3241
section shall contain the following information: 3242

(1) The full name and address of each campaign committee, 3243
political action committee, legislative campaign fund, political 3244
party, or political contributing entity, including any treasurer 3245
of the committee, fund, party, or entity, filing a contribution 3246
and expenditure statement; 3247

(2) (a) In the case of a campaign committee, the 3248
candidate's full name and address; 3249

(b) In the case of a political action committee, the 3250
registration number assigned to the committee under division (D) 3251
(1) of this section. 3252

(3) The date of the election and whether it was or will be 3253
a general, primary, or special election; 3254

(4) A statement of contributions received, which shall 3255
include the following information: 3256

(a) The month, day, and year of the contribution; 3257

(b) (i) The full name and address of each person, political 3258
party, campaign committee, legislative campaign fund, political 3259
action committee, or political contributing entity from whom 3260
contributions are received and the registration number assigned 3261
to the political action committee under division (D) (1) of this 3262
section. The requirement of filing the full address does not 3263
apply to any statement filed by a state or local committee of a 3264
political party, to a finance committee of such committee, or to 3265
a committee recognized by a state or local committee as its 3266
fund-raising auxiliary. Notwithstanding division (F) of this 3267
section, the requirement of filing the full address shall be 3268
considered as being met if the address filed is the same address 3269
the contributor provided under division (E) (1) of this section. 3270

(ii) If a political action committee, political 3271
contributing entity, legislative campaign fund, or political 3272
party that is required to file campaign finance statements by 3273
electronic means of transmission under section 3517.106 of the 3274
Revised Code or a campaign committee of a statewide candidate or 3275
candidate for the office of member of the general assembly 3276

receives a contribution from an individual that exceeds one 3277
hundred dollars, the name of the individual's current employer, 3278
if any, or, if the individual is self-employed, the individual's 3279
occupation and the name of the individual's business, if any; 3280

(iii) If a campaign committee of a statewide candidate or 3281
candidate for the office of member of the general assembly 3282
receives a contribution transmitted pursuant to section 3599.031 3283
of the Revised Code from amounts deducted from the wages and 3284
salaries of two or more employees that exceeds in the aggregate 3285
one hundred dollars during any one filing period under division 3286
(A)(1), (2), (3), or (4) of this section, the full name of the 3287
employees' employer and the full name of the labor organization 3288
of which the employees are members, if any. 3289

(c) A description of the contribution received, if other 3290
than money; 3291

(d) The value in dollars and cents of the contribution; 3292

(e) A separately itemized account of all contributions and 3293
expenditures regardless of the amount, except a receipt of a 3294
contribution from a person in the sum of twenty-five dollars or 3295
less at one social or fund-raising activity and a receipt of a 3296
contribution transmitted pursuant to section 3599.031 of the 3297
Revised Code from amounts deducted from the wages and salaries 3298
of employees if the contribution from the amount deducted from 3299
the wages and salary of any one employee is twenty-five dollars 3300
or less aggregated in a calendar year. An account of the total 3301
contributions from each social or fund-raising activity shall 3302
include a description of and the value of each in-kind 3303
contribution received at that activity from any person who made 3304
one or more such contributions whose aggregate value exceeded 3305
two hundred fifty dollars and shall be listed separately, 3306

together with the expenses incurred and paid in connection with 3307
that activity. A campaign committee, political action committee, 3308
legislative campaign fund, political party, or political 3309
contributing entity shall keep records of contributions from 3310
each person in the amount of twenty-five dollars or less at one 3311
social or fund-raising activity and contributions from amounts 3312
deducted under section 3599.031 of the Revised Code from the 3313
wages and salary of each employee in the amount of twenty-five 3314
dollars or less aggregated in a calendar year. No continuing 3315
association that is recognized by a state or local committee of 3316
a political party as an auxiliary of the party and that makes a 3317
contribution from funds derived solely from regular dues paid by 3318
members of the auxiliary shall be required to list the name or 3319
address of any members who paid those dues. 3320

Contributions that are other income shall be itemized 3321
separately from all other contributions. The information 3322
required under division (B) (4) of this section shall be provided 3323
for all other income itemized. As used in this paragraph, "other 3324
income" means a loan, investment income, or interest income. 3325

(f) In the case of a campaign committee of a state elected 3326
officer, if a person doing business with the state elected 3327
officer in the officer's official capacity makes a contribution 3328
to the campaign committee of that officer, the information 3329
required under division (B) (4) of this section in regard to that 3330
contribution, which shall be filed together with and considered 3331
a part of the committee's statement of contributions as required 3332
under division (A) of this section but shall be filed on a 3333
separate form provided by the secretary of state. As used in 3334
this division: 3335

(i) "State elected officer" has the same meaning as in 3336

section 3517.092 of the Revised Code. 3337

(ii) "Person doing business" means a person or an officer 3338
of an entity who enters into one or more contracts with a state 3339
elected officer or anyone authorized to enter into contracts on 3340
behalf of that officer to receive payments for goods or 3341
services, if the payments total, in the aggregate, more than 3342
five thousand dollars during a calendar year. 3343

(5) A statement of expenditures which shall include the 3344
following information: 3345

(a) The month, day, and year of the expenditure; 3346

(b) The full name and address of each person, political 3347
party, campaign committee, legislative campaign fund, political 3348
action committee, or political contributing entity to whom the 3349
expenditure was made and the registration number assigned to the 3350
political action committee under division (D)(1) of this 3351
section; 3352

(c) The object or purpose for which the expenditure was 3353
made; 3354

(d) The amount of each expenditure. 3355

(C)(1) The statement of contributions and expenditures 3356
shall be signed by the person completing the form. If a 3357
statement of contributions and expenditures is filed by 3358
electronic means of transmission pursuant to this section or 3359
section 3517.106 of the Revised Code, the electronic signature 3360
of the person who executes the statement and transmits the 3361
statement by electronic means of transmission, as provided in 3362
division (F) of section 3517.106 of the Revised Code, shall be 3363
attached to or associated with the statement and shall be 3364
binding on all persons and for all purposes under the campaign 3365

finance reporting law as if the signature had been handwritten 3366
in ink on a printed form. 3367

(2) The person filing the statement, under penalty of 3368
election falsification, shall include with it a both of the 3369
following: 3370

(a) A list of each anonymous contribution, the 3371
circumstances under which it was received, and the reason it 3372
cannot be attributed to a specific donor; 3373

(b) A certification that the campaign committee, political 3374
action committee, legislative campaign fund, political party, or 3375
political contributing entity, as applicable, has not knowingly 3376
accepted any contribution that is prohibited under this chapter 3377
or section 3599.03 or 3599.031 of the Revised Code, including 3378
under division (W) of section 3517.13 of the Revised Code, 3379
during the period covered by the statement. 3380

(3) Each statement of a campaign committee of a candidate 3381
who holds public office shall contain a designation of each 3382
contributor who is an employee in any unit or department under 3383
the candidate's direct supervision and control. In a space 3384
provided in the statement, the person filing the statement shall 3385
affirm that each such contribution was voluntarily made. 3386

(4) A campaign committee that did not receive 3387
contributions or make expenditures in connection with the 3388
nomination or election of its candidate shall file a statement 3389
to that effect, on a form prescribed under this section and made 3390
under penalty of election falsification, on the date required in 3391
division (A) (2) of this section. 3392

(5) The campaign committee of any person who attempts to 3393
become a candidate and who, for any reason, does not become 3394

certified in accordance with Title XXXV of the Revised Code for 3395
placement on the official ballot of a primary, general, or 3396
special election to be held in this state, and who, at any time 3397
prior to or after an election, receives contributions or makes 3398
expenditures, or has given consent for another to receive 3399
contributions or make expenditures, for the purpose of bringing 3400
about the person's nomination or election to public office, 3401
shall file the statement or statements prescribed by this 3402
section and a termination statement, if applicable. Division (C) 3403
(5) of this section does not apply to any person with respect to 3404
an election to the offices of member of a county or state 3405
central committee, presidential elector, or delegate to a 3406
national convention or conference of a political party. 3407

(6) (a) The statements required to be filed under this 3408
section shall specify the balance in the hands of the campaign 3409
committee, political action committee, legislative campaign 3410
fund, political party, or political contributing entity and the 3411
disposition intended to be made of that balance. 3412

(b) The secretary of state shall prescribe the form for 3413
all statements required to be filed under this section and shall 3414
furnish the forms to the boards of elections in the several 3415
counties. The boards of elections shall supply printed copies of 3416
those forms without charge. The secretary of state shall 3417
prescribe the appropriate methodology, protocol, and data file 3418
structure for statements required or permitted to be filed by 3419
electronic means of transmission to the secretary of state or a 3420
board of elections under division (A) of this section, division 3421
(E) of section 3517.106, division (D) of section 3517.1011, 3422
division (B) of section 3517.1012, division (C) of section 3423
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3424
Revised Code. Subject to division (A) of this section, division 3425

(E) of section 3517.106, division (D) of section 3517.1011, 3426
division (B) of section 3517.1012, division (C) of section 3427
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3428
Revised Code, the statements required to be stored on computer 3429
by the secretary of state under division (B) of section 3517.106 3430
of the Revised Code shall be filed in whatever format the 3431
secretary of state considers necessary to enable the secretary 3432
of state to store the information contained in the statements on 3433
computer. Any such format shall be of a type and nature that is 3434
readily available to whoever is required to file the statements 3435
in that format. 3436

(c) The secretary of state shall assess the need for 3437
training regarding the filing of campaign finance statements by 3438
electronic means of transmission and regarding associated 3439
technologies for candidates, campaign committees, political 3440
action committees, legislative campaign funds, political 3441
parties, or political contributing entities, for individuals, 3442
partnerships, or other entities, for persons making 3443
disbursements to pay the direct costs of producing or airing 3444
electioneering communications, or for treasurers of transition 3445
funds, required or permitted to file statements by electronic 3446
means of transmission under this section or section 3517.105, 3447
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 3448
Revised Code. If, in the opinion of the secretary of state, 3449
training in these areas is necessary, the secretary of state 3450
shall arrange for the provision of voluntary training programs 3451
for candidates, campaign committees, political action 3452
committees, legislative campaign funds, political parties, or 3453
political contributing entities, for individuals, partnerships, 3454
and other entities, for persons making disbursements to pay the 3455
direct costs of producing or airing electioneering 3456

communications, or for treasurers of transition funds, as 3457
appropriate. 3458

(7) Each monthly statement and each two-business-day 3459
statement required by division (A) of this section shall contain 3460
the information required by divisions (B)(1) to (4), (C)(2), 3461
and, if appropriate, (C)(3) of this section. Each statement 3462
shall be signed as required by division (C)(1) of this section. 3463

(D)(1)(a) Prior to receiving a contribution or making an 3464
expenditure, every campaign committee, political action 3465
committee, legislative campaign fund, political party, or 3466
political contributing entity shall appoint a treasurer and 3467
shall file, on a form prescribed by the secretary of state, a 3468
designation of that appointment, including the full name and 3469
address of the treasurer and of the campaign committee, 3470
political action committee, legislative campaign fund, political 3471
party, or political contributing entity. That designation shall 3472
be filed with the official with whom the campaign committee, 3473
political action committee, legislative campaign fund, political 3474
party, or political contributing entity is required to file 3475
statements under section 3517.11 of the Revised Code. The name 3476
of a campaign committee shall include at least the last name of 3477
the campaign committee's candidate. If two or more candidates 3478
are the beneficiaries of a single campaign committee under 3479
division (B) of section 3517.081 of the Revised Code, the name 3480
of the campaign committee shall include at least the last name 3481
of each candidate who is a beneficiary of that campaign 3482
committee. The secretary of state shall assign a registration 3483
number to each political action committee that files a 3484
designation of the appointment of a treasurer under this 3485
division if the political action committee is required by 3486
division (A)(1) of section 3517.11 of the Revised Code to file 3487

the statements prescribed by this section with the secretary of 3488
state. 3489

(b) The form of the designation of treasurer shall require 3490
the filer to certify, under penalty of election falsification, 3491
that the campaign committee, political action committee, 3492
legislative campaign fund, political party, or political 3493
contributing entity, as applicable, has not knowingly accepted, 3494
and will not knowingly accept, any contribution that is 3495
prohibited under this chapter or section 3599.03 or 3599.031 of 3496
the Revised Code, including under division (W) of section 3497
3517.13 of the Revised Code. 3498

(c) The secretary of state shall not accept for filing a 3499
designation of treasurer of a political action committee or 3500
political contributing entity if, in the opinion of the 3501
secretary of state, the name of the political action committee 3502
or political contributing entity would lead a reasonable person 3503
to believe that the political action committee or political 3504
contributing entity acts on behalf of or represents a county 3505
political party, unless the designation is accompanied by a 3506
written statement, signed by the chairperson of the county 3507
political party's executive committee, granting the political 3508
action committee or political contributing entity permission to 3509
act on behalf of or represent the county political party. 3510

(2) The treasurer appointed under division (D)(1) of this 3511
section shall keep a strict account of all contributions, from 3512
whom received and the purpose for which they were disbursed. 3513

(3) (a) Except as otherwise provided in section 3517.108 of 3514
the Revised Code, a campaign committee shall deposit all 3515
monetary contributions received by the committee into an account 3516
separate from a personal or business account of the candidate or 3517

campaign committee. 3518

(b) A political action committee shall deposit all 3519
monetary contributions received by the committee into an account 3520
separate from all other funds. 3521

(c) A state or county political party may establish a 3522
state candidate fund that is separate from all other funds. A 3523
state or county political party may deposit into its state 3524
candidate fund any amounts of monetary contributions that are 3525
made to or accepted by the political party subject to the 3526
applicable limitations, if any, prescribed in section 3517.102 3527
of the Revised Code. A state or county political party shall 3528
deposit all other monetary contributions received by the party 3529
into one or more accounts that are separate from its state 3530
candidate fund. 3531

(d) Each state political party shall have only one 3532
legislative campaign fund for each house of the general 3533
assembly. Each such fund shall be separate from any other funds 3534
or accounts of that state party. A legislative campaign fund is 3535
authorized to receive contributions and make expenditures for 3536
the primary purpose of furthering the election of candidates who 3537
are members of that political party to the house of the general 3538
assembly with which that legislative campaign fund is 3539
associated. Each legislative campaign fund shall be administered 3540
and controlled in a manner designated by the caucus. As used in 3541
this division, "caucus" has the same meaning as in section 3542
3517.01 of the Revised Code and includes, as an ex officio 3543
member, the chairperson of the state political party with which 3544
the caucus is associated or that chairperson's designee. 3545

(4) Every expenditure in excess of twenty-five dollars 3546
shall be vouched for by a receipted bill, stating the purpose of 3547

the expenditure, that shall be filed with the statement of 3548
expenditures. A canceled check with a notation of the purpose of 3549
the expenditure is a receipted bill for purposes of division (D) 3550
(4) of this section. 3551

(5) The secretary of state or the board of elections, as 3552
the case may be, shall issue a receipt for each statement filed 3553
under this section and shall preserve a copy of the receipt for 3554
a period of at least six years. All statements filed under this 3555
section shall be open to public inspection in the office where 3556
they are filed and shall be carefully preserved for a period of 3557
at least six years after the year in which they are filed. 3558

(6) The secretary of state, by rule adopted pursuant to 3559
section 3517.23 of the Revised Code, shall prescribe both of the 3560
following: 3561

(a) The manner of immediately acknowledging, with date and 3562
time received, and preserving the receipt of statements that are 3563
transmitted by electronic means of transmission to the secretary 3564
of state or a board of elections pursuant to this section or 3565
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 3566
of the Revised Code; 3567

(b) The manner of preserving the contribution and 3568
expenditure, contribution and disbursement, deposit and 3569
disbursement, gift and disbursement, or donation and 3570
disbursement information in the statements described in division 3571
(D) (6) (a) of this section. The secretary of state shall preserve 3572
the contribution and expenditure, contribution and disbursement, 3573
deposit and disbursement, gift and disbursement, or donation and 3574
disbursement information in those statements for at least ten 3575
years after the year in which they are filed by electronic means 3576
of transmission. 3577

(7) (a) The secretary of state, pursuant to division (G) of 3578
section 3517.106 of the Revised Code, shall make available 3579
online to the public through the internet the contribution and 3580
expenditure, contribution and disbursement, deposit and 3581
disbursement, gift and disbursement, or donation and 3582
disbursement information in all of the following documents: 3583

(i) All statements, all addenda, amendments, or other 3584
corrections to statements, and all amended statements filed with 3585
the secretary of state by electronic or other means of 3586
transmission under this section, division (B) (2) (b) or (C) (2) (b) 3587
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3588
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 3589

(ii) All statements filed with a board of elections by 3590
electronic means of transmission, and all addenda, amendments, 3591
corrections, and amended versions of those statements, filed 3592
with the board under this section, division (B) (2) (b) or (C) (2) 3593
(b) of section 3517.105, or section 3517.106, 3517.1012, or 3594
3517.11 of the Revised Code. 3595

(b) The secretary of state may remove the information from 3596
the internet after a reasonable period of time. 3597

(E) (1) Any person, political party, campaign committee, 3598
legislative campaign fund, political action committee, or 3599
political contributing entity that makes a contribution in 3600
connection with the nomination or election of any candidate or 3601
in connection with any ballot issue or question at any election 3602
held or to be held in this state shall provide its full name and 3603
address to the recipient of the contribution at the time the 3604
contribution is made. The political action committee also shall 3605
provide the registration number assigned to the committee under 3606
division (D) (1) of this section to the recipient of the 3607

contribution at the time the contribution is made. 3608

(2) Any individual who makes a contribution that exceeds 3609
one hundred dollars to a political action committee, political 3610
contributing entity, legislative campaign fund, or political 3611
party or to a campaign committee of a statewide candidate or 3612
candidate for the office of member of the general assembly shall 3613
provide the name of the individual's current employer, if any, 3614
or, if the individual is self-employed, the individual's 3615
occupation and the name of the individual's business, if any, to 3616
the recipient of the contribution at the time the contribution 3617
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 3618
apply to division (E)(2) of this section. 3619

(3) If a campaign committee shows that it has exercised 3620
its best efforts to obtain, maintain, and submit the information 3621
required under divisions (B)(4)(b)(ii) and (iii) of this 3622
section, that committee is considered to have met the 3623
requirements of those divisions. A campaign committee shall not 3624
be considered to have exercised its best efforts unless, in 3625
connection with written solicitations, it regularly includes a 3626
written request for the information required under division (B) 3627
(4)(b)(ii) of this section from the contributor or the 3628
information required under division (B)(4)(b)(iii) of this 3629
section from whoever transmits the contribution. 3630

(4) Any check that a political action committee uses to 3631
make a contribution or an expenditure shall contain the full 3632
name and address of the committee and the registration number 3633
assigned to the committee under division (D)(1) of this section. 3634

(F) As used in this section: 3635

(1)(a) Except as otherwise provided in division (F)(1) of 3636

this section, "address" means all of the following if they 3637
exist: apartment number, street, road, or highway name and 3638
number, rural delivery route number, city or village, state, and 3639
zip code as used in a person's post-office address, but not 3640
post-office box. 3641

(b) Except as otherwise provided in division (F)(1) of 3642
this section, if an address is required in this section, a post- 3643
office box and office, room, or suite number may be included in 3644
addition to, but not in lieu of, an apartment, street, road, or 3645
highway name and number. 3646

(c) If an address is required in this section, a campaign 3647
committee, political action committee, legislative campaign 3648
fund, political party, or political contributing entity may use 3649
the business or residence address of its treasurer or deputy 3650
treasurer. The post-office box number of the campaign committee, 3651
political action committee, legislative campaign fund, political 3652
party, or political contributing entity may be used in addition 3653
to that address. 3654

(d) For the sole purpose of a campaign committee's 3655
reporting of contributions on a statement of contributions 3656
received under division (B)(4) of this section, "address" has 3657
one of the following meanings at the option of the campaign 3658
committee: 3659

(i) The same meaning as in division (F)(1)(a) of this 3660
section; 3661

(ii) All of the following, if they exist: the 3662
contributor's post-office box number and city or village, state, 3663
and zip code as used in the contributor's post-office address. 3664

(e) As used with regard to the reporting under this 3665

section of any expenditure, "address" means all of the following 3666
if they exist: apartment number, street, road, or highway name 3667
and number, rural delivery route number, city or village, state, 3668
and zip code as used in a person's post-office address, or post- 3669
office box. If an address concerning any expenditure is required 3670
in this section, a campaign committee, political action 3671
committee, legislative campaign fund, political party, or 3672
political contributing entity may use the business or residence 3673
address of its treasurer or deputy treasurer or its post-office 3674
box number. 3675

(2) "Statewide candidate" means the joint candidates for 3676
the offices of governor and lieutenant governor or a candidate 3677
for the office of secretary of state, auditor of state, 3678
treasurer of state, attorney general, member of the state board 3679
of education, chief justice of the supreme court, or justice of 3680
the supreme court. 3681

(3) "Candidate for county office" means a candidate for 3682
the office of county auditor, county treasurer, clerk of the 3683
court of common pleas, judge of the court of common pleas, 3684
sheriff, county recorder, county engineer, county commissioner, 3685
prosecuting attorney, or coroner. 3686

(G) An independent expenditure shall be reported whenever 3687
and in the same manner that an expenditure is required to be 3688
reported under this section and shall be reported pursuant to 3689
division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 3690
Revised Code. 3691

(H) (1) Except as otherwise provided in division (H) (2) of 3692
this section, if, during the combined pre-election and 3693
postelection reporting periods for an election, a campaign 3694
committee has received contributions of five hundred dollars or 3695

less and has made expenditures in the total amount of five 3696
hundred dollars or less, it may file a statement to that effect, 3697
under penalty of election falsification, in lieu of the 3698
statement required by division (A)(2) of this section. The 3699
statement shall indicate the total amount of contributions 3700
received and the total amount of expenditures made during those 3701
combined reporting periods. 3702

(2) In the case of a successful candidate at a primary 3703
election, if either the total contributions received by or the 3704
total expenditures made by the candidate's campaign committee 3705
during the preprimary, postprimary, pregeneral, and postgeneral 3706
election periods combined equal more than five hundred dollars, 3707
the campaign committee may file the statement under division (H) 3708
(1) of this section only for the primary election. The first 3709
statement that the campaign committee files in regard to the 3710
general election shall reflect all contributions received and 3711
all expenditures made during the preprimary and postprimary 3712
election periods. 3713

(3) Divisions (H)(1) and (2) of this section do not apply 3714
if a campaign committee receives contributions or makes 3715
expenditures prior to the first day of January of the year of 3716
the election at which the candidate seeks nomination or election 3717
to office or if the campaign committee does not file a 3718
termination statement with its postprimary election statement in 3719
the case of an unsuccessful primary election candidate or with 3720
its postgeneral election statement in the case of other 3721
candidates. 3722

(I) In the case of a contribution made by a partner of a 3723
partnership or an owner or a member of another unincorporated 3724
business from any funds of the partnership or other 3725

unincorporated business, all of the following apply: 3726

(1) The recipient of the contribution shall report the 3727
contribution by listing both the partnership or other 3728
unincorporated business and the name of the partner, owner, or 3729
member making the contribution. 3730

(2) In reporting the contribution, the recipient of the 3731
contribution shall be entitled to conclusively rely upon the 3732
information provided by the partnership or other unincorporated 3733
business, provided that the information includes one of the 3734
following: 3735

(a) The name of each partner, owner, or member as of the 3736
date of the contribution or contributions, and a statement that 3737
the total contributions are to be allocated equally among all of 3738
the partners, owners, or members; or 3739

(b) The name of each partner, owner, or member as of the 3740
date of the contribution or contributions who is participating 3741
in the contribution or contributions, and a statement that the 3742
contribution or contributions are to be allocated to those 3743
individuals in accordance with the information provided by the 3744
partnership or other unincorporated business to the recipient of 3745
the contribution. 3746

(3) For purposes of section 3517.102 of the Revised Code, 3747
the contribution shall be considered to have been made by the 3748
partner, owner, or member reported under division (I) (1) of this 3749
section. 3750

(4) No contribution from a partner of a partnership or an 3751
owner or a member of another unincorporated business shall be 3752
accepted from any funds of the partnership or other 3753
unincorporated business unless the recipient reports the 3754

contribution under division (I) (1) of this section together with 3755
the information provided under division (I) (2) of this section. 3756

(5) No partnership or other unincorporated business shall 3757
make a contribution or contributions solely in the name of the 3758
partnership or other unincorporated business. 3759

(6) As used in division (I) of this section, "partnership 3760
or other unincorporated business" includes, but is not limited 3761
to, a cooperative, a sole proprietorship, a general partnership, 3762
a limited partnership, a limited partnership association, a 3763
limited liability partnership, and a limited liability company. 3764

(J) A candidate shall have only one campaign committee at 3765
any given time for all of the offices for which the person is a 3766
candidate or holds office. 3767

(K) (1) In addition to filing a designation of appointment 3768
of a treasurer under division (D) (1) of this section, the 3769
campaign committee of any candidate for an elected municipal 3770
office that pays an annual amount of compensation of five 3771
thousand dollars or less, the campaign committee of any 3772
candidate for member of a board of education except member of 3773
the state board of education, or the campaign committee of any 3774
candidate for township trustee or township fiscal officer may 3775
sign, under penalty of election falsification, a certificate 3776
attesting that the committee will not accept contributions 3777
during an election period that exceed in the aggregate two 3778
thousand dollars from all contributors and one hundred dollars 3779
from any one individual, and that the campaign committee will 3780
not make expenditures during an election period that exceed in 3781
the aggregate two thousand dollars. 3782

The certificate shall be on a form prescribed by the 3783

secretary of state and shall be filed not later than ten days 3784
after the candidate files a declaration of candidacy and 3785
petition, a nominating petition, or a declaration of intent to 3786
be a write-in candidate. 3787

(2) Except as otherwise provided in division (K) (3) of 3788
this section, a campaign committee that files a certificate 3789
under division (K) (1) of this section is not required to file 3790
the statements required by division (A) of this section. 3791

(3) If, after filing a certificate under division (K) (1) 3792
of this section, a campaign committee exceeds any of the 3793
limitations described in that division during an election 3794
period, the certificate is void and thereafter the campaign 3795
committee shall file the statements required by division (A) of 3796
this section. If the campaign committee has not previously filed 3797
a statement, then on the first statement the campaign committee 3798
is required to file under division (A) of this section after the 3799
committee's certificate is void, the committee shall report all 3800
contributions received and expenditures made from the time the 3801
candidate filed the candidate's declaration of candidacy and 3802
petition, nominating petition, or declaration of intent to be a 3803
write-in candidate. 3804

(4) As used in division (K) of this section, "election 3805
period" means the period of time beginning on the day a person 3806
files a declaration of candidacy and petition, nominating 3807
petition, or declaration of intent to be a write-in candidate 3808
through the day of the election at which the person seeks 3809
nomination to office if the person is not elected to office, or, 3810
if the candidate was nominated in a primary election, the day of 3811
the election at which the candidate seeks office. 3812

(L) A political contributing entity that receives 3813

contributions from the dues, membership fees, or other 3814
assessments of its members or from its officers, shareholders, 3815
and employees may report the aggregate amount of contributions 3816
received from those contributors and the number of individuals 3817
making those contributions, for each filing period under 3818
divisions (A) (1), (2), (3), and (4) of this section, rather than 3819
reporting information as required under division (B) (4) of this 3820
section, including, when applicable, the name of the current 3821
employer, if any, of a contributor whose contribution exceeds 3822
one hundred dollars or, if such a contributor is self-employed, 3823
the contributor's occupation and the name of the contributor's 3824
business, if any. Division (B) (4) of this section applies to a 3825
political contributing entity with regard to contributions it 3826
receives from all other contributors. 3827

Sec. 3517.12. (A) ~~Prior to receiving a contribution or~~ 3828
~~making an expenditure, the circulator or~~ If the committee in 3829
charge of an initiative or referendum petition, or supplementary 3830
petition for additional signatures, for the submission to the 3831
electors of a constitutional amendment, proposed law, section, 3832
or item of any law wishes to receive any contribution or make 3833
any expenditure for the purpose of achieving the successful 3834
circulation of the petition, the committee shall ~~appoint a~~ 3835
~~treasurer and shall file with the secretary of state, on a form~~ 3836
~~prescribed by the secretary of state, a designation of that~~ 3837
~~appointment, including the full name and address of the~~ 3838
~~treasurer and of the circulator or committee~~ file a designation 3839
of treasurer under division (D) of section 3517.10 of the 3840
Revised Code as a political action committee before receiving a 3841
contribution or making an expenditure and thereafter shall 3842
comply with all applicable requirements of this chapter 3843
concerning political action committees. 3844

(B) ~~The circulator or~~ If the committee in charge of an 3845
initiative or referendum petition, or supplementary petition for 3846
additional signatures, for the submission to the electors of a 3847
constitutional amendment, proposed law, section, or item of any 3848
law receives no contributions and makes no expenditures for the 3849
purpose of achieving the successful circulation of the petition, 3850
and is not otherwise considered a campaign committee, political 3851
party, legislative campaign fund, political action committee, or 3852
political contributing entity, then the committee shall, within 3853
thirty days after ~~those the~~ petition ~~papers are~~ is filed, file 3854
with the secretary of state, on a form prescribed by the 3855
secretary of state, ~~an itemized a~~ statement, made under penalty 3856
of election falsification, ~~showing in detail the following:~~ 3857

~~(1) All money or things of value paid, given, promised, or~~ 3858
~~received for circulating the petitions;~~ 3859

~~(2) All appointments, promotions, or increases in salary,~~ 3860
~~in positions which were given, promised, or received, or to~~ 3861
~~obtain which assistance was given, promised, or received as a~~ 3862
~~consideration for work done in circulating petitions;~~ 3863

~~(3) Full names and addresses, including street, city, and~~ 3864
~~state, of all persons to whom such payments or promises were~~ 3865
~~made and of all persons from whom such payments or promises were~~ 3866
~~received;~~ 3867

~~(4) Full names and addresses, including street, city, and~~ 3868
~~state, of all persons who contributed anything of value to be~~ 3869
~~used in circulating the petitions, and the amounts of those~~ 3870
~~contributions;~~ 3871

~~(5) Time spent and salaries earned while soliciting~~ 3872
~~signatures to petitions by persons who were regular salaried~~ 3873

~~employees of some person or whom that employer authorized to~~ 3874
~~solicit as part of their regular duties.~~ 3875

~~If that the committee received no money or things of~~ 3876
~~value were paid or received or if no promises were made or~~ 3877
~~received as a consideration for work done in circulating a~~ 3878
~~petition, the statement shall contain words to that effect~~ 3879
~~contributions and made no expenditures for the purpose of~~ 3880
~~achieving the successful circulation of the petition.~~ 3881

~~(C) The treasurer designated under division (A) of this~~ 3882
~~section shall file statements of contributions and expenditures~~ 3883
~~in accordance with section 3517.10 of the Revised Code regarding~~ 3884
~~all contributions made or received and all expenditures made by~~ 3885
~~that treasurer or the circulator or committee in connection with~~ 3886
~~the initiative or referendum petition, or supplementary petition~~ 3887
~~for additional signatures, for the submission of a~~ 3888
~~constitutional amendment, proposed law, section, or item of any~~ 3889
~~law.~~ 3890

Sec. 3517.13. (A) (1) No campaign committee of a statewide 3891
candidate shall fail to file a complete and accurate statement 3892
required under division (A) (1) of section 3517.10 of the Revised 3893
Code. 3894

(2) No campaign committee of a statewide candidate shall 3895
fail to file a complete and accurate monthly statement, and no 3896
campaign committee of a statewide candidate or a candidate for 3897
the office of chief justice or justice of the supreme court 3898
shall fail to file a complete and accurate two-business-day 3899
statement, as required under section 3517.10 of the Revised 3900
Code. 3901

As used in this division, "statewide candidate" has the 3902

same meaning as in division (F) (2) of section 3517.10 of the 3903
Revised Code. 3904

(B) No campaign committee shall fail to file a complete 3905
and accurate statement required under division (A) (1) of section 3906
3517.10 of the Revised Code. 3907

(C) No campaign committee shall fail to file a complete 3908
and accurate statement required under division (A) (2) of section 3909
3517.10 of the Revised Code. 3910

(D) No campaign committee shall fail to file a complete 3911
and accurate statement required under division (A) (3) or (4) of 3912
section 3517.10 of the Revised Code. 3913

(E) No person other than a campaign committee shall 3914
knowingly fail to file a statement required under section 3915
3517.10 or 3517.107 of the Revised Code. 3916

(F) No person shall make cash contributions to any person 3917
totaling more than one hundred dollars in each primary, special, 3918
or general election. 3919

(G) (1) No person shall knowingly conceal or misrepresent 3920
contributions given or received, expenditures made, or any other 3921
information required to be reported by a provision in sections 3922
3517.08 to 3517.13 of the Revised Code. 3923

(2) (a) No person shall make a contribution to a campaign 3924
committee, political action committee, political contributing 3925
entity, legislative campaign fund, political party, or person 3926
making disbursements to pay the direct costs of producing or 3927
airing electioneering communications in the name of another 3928
person. 3929

(b) A person does not make a contribution in the name of 3930

another when either of the following applies: 3931

(i) An individual makes a contribution from a partnership 3932
or other unincorporated business account, if the contribution is 3933
reported by listing both the name of the partnership or other 3934
unincorporated business and the name of the partner or owner 3935
making the contribution as required under division (I) of 3936
section 3517.10 of the Revised Code. 3937

(ii) A person makes a contribution in that person's 3938
spouse's name or in both of their names. 3939

(H) No person within this state, publishing a newspaper or 3940
other periodical, shall charge a campaign committee for 3941
political advertising a rate in excess of the rate such person 3942
would charge if the campaign committee were a general rate 3943
advertiser whose advertising was directed to promoting its 3944
business within the same area as that encompassed by the 3945
particular office that the candidate of the campaign committee 3946
is seeking. The rate shall take into account the amount of space 3947
used, as well as the type of advertising copy submitted by or on 3948
behalf of the campaign committee. All discount privileges 3949
otherwise offered by a newspaper or periodical to general rate 3950
advertisers shall be available upon equal terms to all campaign 3951
committees. 3952

No person within this state, operating a radio or 3953
television station or network of stations in this state, shall 3954
charge a campaign committee for political broadcasts a rate that 3955
exceeds: 3956

(1) During the forty-five days preceding the date of a 3957
primary election and during the sixty days preceding the date of 3958
a general or special election in which the candidate of the 3959

campaign committee is seeking office, the lowest unit charge of 3960
the station for the same class and amount of time for the same 3961
period; 3962

(2) At any other time, the charges made for comparable use 3963
of that station by its other users. 3964

(I) Subject to divisions (K), (L), (M), and (N) of this 3965
section, no agency or department of this state or any political 3966
subdivision shall award any contract, other than one let by 3967
competitive bidding or a contract incidental to such contract or 3968
which is by force account, for the purchase of goods costing 3969
more than five hundred dollars or services costing more than 3970
five hundred dollars to any individual, partnership, 3971
association, including, without limitation, a professional 3972
association organized under Chapter 1785. of the Revised Code, 3973
estate, or trust if the individual has made or the individual's 3974
spouse has made, or any partner, shareholder, administrator, 3975
executor, or trustee or the spouse of any of them has made, as 3976
an individual, within the two previous calendar years, one or 3977
more contributions totaling in excess of one thousand dollars to 3978
the holder of the public office having ultimate responsibility 3979
for the award of the contract or to the public officer's 3980
campaign committee. 3981

(J) Subject to divisions (K), (L), (M), and (N) of this 3982
section, no agency or department of this state or any political 3983
subdivision shall award any contract, other than one let by 3984
competitive bidding or a contract incidental to such contract or 3985
which is by force account, for the purchase of goods costing 3986
more than five hundred dollars or services costing more than 3987
five hundred dollars to a corporation or business trust, except 3988
a professional association organized under Chapter 1785. of the 3989

Revised Code, if an owner of more than twenty per cent of the 3990
corporation or business trust or the spouse of that person has 3991
made, as an individual, within the two previous calendar years, 3992
taking into consideration only owners for all of that period, 3993
one or more contributions totaling in excess of one thousand 3994
dollars to the holder of a public office having ultimate 3995
responsibility for the award of the contract or to the public 3996
officer's campaign committee. 3997

(K) For purposes of divisions (I) and (J) of this section, 3998
if a public officer who is responsible for the award of a 3999
contract is appointed by the governor, whether or not the 4000
appointment is subject to the advice and consent of the senate, 4001
excluding members of boards, commissions, committees, 4002
authorities, councils, boards of trustees, task forces, and 4003
other such entities appointed by the governor, the office of the 4004
governor is considered to have ultimate responsibility for the 4005
award of the contract. 4006

(L) For purposes of divisions (I) and (J) of this section, 4007
if a public officer who is responsible for the award of a 4008
contract is appointed by the elected chief executive officer of 4009
a municipal corporation, or appointed by the elected chief 4010
executive officer of a county operating under an alternative 4011
form of county government or county charter, excluding members 4012
of boards, commissions, committees, authorities, councils, 4013
boards of trustees, task forces, and other such entities 4014
appointed by the chief executive officer, the office of the 4015
chief executive officer is considered to have ultimate 4016
responsibility for the award of the contract. 4017

(M) (1) Divisions (I) and (J) of this section do not apply 4018
to contracts awarded by the board of commissioners of the 4019

sinking fund, municipal legislative authorities, boards of 4020
education, boards of county commissioners, boards of township 4021
trustees, or other boards, commissions, committees, authorities, 4022
councils, boards of trustees, task forces, and other such 4023
entities created by law, by the supreme court or courts of 4024
appeals, by county courts consisting of more than one judge, 4025
courts of common pleas consisting of more than one judge, or 4026
municipal courts consisting of more than one judge, or by a 4027
division of any court if the division consists of more than one 4028
judge. This division shall apply to the specified entity only if 4029
the members of the entity act collectively in the award of a 4030
contract for goods or services. 4031

(2) Divisions (I) and (J) of this section do not apply to 4032
actions of the controlling board. 4033

(N) (1) Divisions (I) and (J) of this section apply to 4034
contributions made to the holder of a public office having 4035
ultimate responsibility for the award of a contract, or to the 4036
public officer's campaign committee, during the time the person 4037
holds the office and during any time such person was a candidate 4038
for the office. Those divisions do not apply to contributions 4039
made to, or to the campaign committee of, a candidate for or 4040
holder of the office other than the holder of the office at the 4041
time of the award of the contract. 4042

(2) Divisions (I) and (J) of this section do not apply to 4043
contributions of a partner, shareholder, administrator, 4044
executor, trustee, or owner of more than twenty per cent of a 4045
corporation or business trust made before the person held any of 4046
those positions or after the person ceased to hold any of those 4047
positions in the partnership, association, estate, trust, 4048
corporation, or business trust whose eligibility to be awarded a 4049

contract is being determined, nor to contributions of the 4050
person's spouse made before the person held any of those 4051
positions, after the person ceased to hold any of those 4052
positions, before the two were married, after the granting of a 4053
decree of divorce, dissolution of marriage, or annulment, or 4054
after the granting of an order in an action brought solely for 4055
legal separation. Those divisions do not apply to contributions 4056
of the spouse of an individual whose eligibility to be awarded a 4057
contract is being determined made before the two were married, 4058
after the granting of a decree of divorce, dissolution of 4059
marriage, or annulment, or after the granting of an order in an 4060
action brought solely for legal separation. 4061

(O) No beneficiary of a campaign fund or other person 4062
shall convert for personal use, and no person shall knowingly 4063
give to a beneficiary of a campaign fund or any other person, 4064
for the beneficiary's or any other person's personal use, 4065
anything of value from the beneficiary's campaign fund, 4066
including, without limitation, payments to a beneficiary for 4067
services the beneficiary personally performs, except as 4068
reimbursement for any of the following: 4069

(1) Legitimate and verifiable prior campaign expenses 4070
incurred by the beneficiary; 4071

(2) Legitimate and verifiable ordinary and necessary prior 4072
expenses incurred by the beneficiary in connection with duties 4073
as the holder of a public office, including, without limitation, 4074
expenses incurred through participation in nonpartisan or 4075
bipartisan events if the participation of the holder of a public 4076
office would normally be expected; 4077

(3) Legitimate and verifiable ordinary and necessary prior 4078
expenses incurred by the beneficiary while doing any of the 4079

following: 4080

(a) Engaging in activities in support of or opposition to 4081
a candidate other than the beneficiary, political party, or 4082
ballot issue; 4083

(b) Raising funds for a political party, political action 4084
committee, political contributing entity, legislative campaign 4085
fund, campaign committee, or other candidate; 4086

(c) Participating in the activities of a political party, 4087
political action committee, political contributing entity, 4088
legislative campaign fund, or campaign committee; 4089

(d) Attending a political party convention or other 4090
political meeting. 4091

For purposes of this division, an expense is incurred 4092
whenever a beneficiary has either made payment or is obligated 4093
to make payment, as by the use of a credit card or other credit 4094
procedure or by the use of goods or services received on 4095
account. 4096

(P) No beneficiary of a campaign fund shall knowingly 4097
accept, and no person shall knowingly give to the beneficiary of 4098
a campaign fund, reimbursement for an expense under division (O) 4099
of this section to the extent that the expense previously was 4100
reimbursed or paid from another source of funds. If an expense 4101
is reimbursed under division (O) of this section and is later 4102
paid or reimbursed, wholly or in part, from another source of 4103
funds, the beneficiary shall repay the reimbursement received 4104
under division (O) of this section to the extent of the payment 4105
made or reimbursement received from the other source. 4106

(Q) No candidate or public official or employee shall 4107
accept for personal or business use anything of value from a 4108

political party, political action committee, political 4109
contributing entity, legislative campaign fund, or campaign 4110
committee other than the candidate's or public official's or 4111
employee's own campaign committee, and no person shall knowingly 4112
give to a candidate or public official or employee anything of 4113
value from a political party, political action committee, 4114
political contributing entity, legislative campaign fund, or 4115
such a campaign committee, except for the following: 4116

(1) Reimbursement for legitimate and verifiable ordinary 4117
and necessary prior expenses not otherwise prohibited by law 4118
incurred by the candidate or public official or employee while 4119
engaged in any legitimate activity of the political party, 4120
political action committee, political contributing entity, 4121
legislative campaign fund, or such campaign committee. Without 4122
limitation, reimbursable expenses under this division include 4123
those incurred while doing any of the following: 4124

(a) Engaging in activities in support of or opposition to 4125
another candidate, political party, or ballot issue; 4126

(b) Raising funds for a political party, legislative 4127
campaign fund, campaign committee, or another candidate; 4128

(c) Attending a political party convention or other 4129
political meeting. 4130

(2) Compensation not otherwise prohibited by law for 4131
actual and valuable personal services rendered under a written 4132
contract to the political party, political action committee, 4133
political contributing entity, legislative campaign fund, or 4134
such campaign committee for any legitimate activity of the 4135
political party, political action committee, political 4136
contributing entity, legislative campaign fund, or such campaign 4137

committee. 4138

Reimbursable expenses under this division do not include, 4139
and it is a violation of this division for a candidate or public 4140
official or employee to accept, or for any person to knowingly 4141
give to a candidate or public official or employee from a 4142
political party, political action committee, political 4143
contributing entity, legislative campaign fund, or campaign 4144
committee other than the candidate's or public official's or 4145
employee's own campaign committee, anything of value for 4146
activities primarily related to the candidate's or public 4147
official's or employee's own campaign for election, except for 4148
contributions to the candidate's or public official's or 4149
employee's campaign committee. 4150

For purposes of this division, an expense is incurred 4151
whenever a candidate or public official or employee has either 4152
made payment or is obligated to make payment, as by the use of a 4153
credit card or other credit procedure, or by the use of goods or 4154
services on account. 4155

(R) (1) Division (O) or (P) of this section does not 4156
prohibit a campaign committee from making direct advance or post 4157
payment from contributions to vendors for goods and services for 4158
which reimbursement is permitted under division (O) of this 4159
section, except that no campaign committee shall pay its 4160
candidate or other beneficiary for services personally performed 4161
by the candidate or other beneficiary. 4162

(2) If any expense that may be reimbursed under division 4163
(O), (P), or (Q) of this section is part of other expenses that 4164
may not be paid or reimbursed, the separation of the two types 4165
of expenses for the purpose of allocating for payment or 4166
reimbursement those expenses that may be paid or reimbursed may 4167

be by any reasonable accounting method, considering all of the 4168
surrounding circumstances. 4169

(3) For purposes of divisions (O), (P), and (Q) of this 4170
section, mileage allowance at a rate not greater than that 4171
allowed by the internal revenue service at the time the travel 4172
occurs may be paid instead of reimbursement for actual travel 4173
expenses allowable. 4174

(S) (1) As used in division (S) of this section: 4175

(a) "State elective office" has the same meaning as in 4176
section 3517.092 of the Revised Code. 4177

(b) "Federal office" means a federal office as defined in 4178
the Federal Election Campaign Act. 4179

(c) "Federal campaign committee" means a principal 4180
campaign committee or authorized committee as defined in the 4181
Federal Election Campaign Act. 4182

(2) No person who is a candidate for state elective office 4183
and who previously sought nomination or election to a federal 4184
office shall transfer any funds or assets from that person's 4185
federal campaign committee for nomination or election to the 4186
federal office to that person's campaign committee as a 4187
candidate for state elective office. 4188

(3) No campaign committee of a person who is a candidate 4189
for state elective office and who previously sought nomination 4190
or election to a federal office shall accept any funds or assets 4191
from that person's federal campaign committee for that person's 4192
nomination or election to the federal office. 4193

(T) (1) Except as otherwise provided in division (B) (6) (c) 4194
of section 3517.102 of the Revised Code, a state or county 4195

political party shall not disburse moneys from any account other 4196
than a state candidate fund to make contributions to any of the 4197
following: 4198

(a) A state candidate fund; 4199

(b) A legislative campaign fund; 4200

(c) A campaign committee of a candidate for the office of 4201
governor, lieutenant governor, secretary of state, auditor of 4202
state, treasurer of state, attorney general, member of the state 4203
board of education, or member of the general assembly. 4204

(2) No state candidate fund, legislative campaign fund, or 4205
campaign committee of a candidate for any office described in 4206
division (T)(1)(c) of this section shall knowingly accept a 4207
contribution in violation of division (T)(1) of this section. 4208

(U) No person shall fail to file a statement required 4209
under section 3517.12 of the Revised Code. 4210

(V) No campaign committee shall fail to file a statement 4211
required under division (K)(3) of section 3517.10 of the Revised 4212
Code. 4213

(W)(1) No foreign national shall, directly or indirectly 4214
through any other person or entity, ~~make~~ knowingly do any of the 4215
following: 4216

(a) Make a contribution, expenditure, or independent 4217
expenditure or promise, either expressly or implicitly, to make 4218
a contribution, expenditure, or independent expenditure ~~in~~ 4219
~~support of or opposition to a candidate for any elective office~~ 4220
~~in this state, including an office of a political party;~~ 4221

(b) Solicit another person to make a contribution, 4222
expenditure, or independent expenditure; 4223

(c) Make a loan, gift, deposit, forgiveness of 4224
indebtedness, donation, advance, payment, or transfer of funds 4225
to another person with a designation, instruction, or 4226
encumbrance that the foreign national knows will result in any 4227
part of the loan, gift, deposit, forgiveness of indebtedness, 4228
donation, advance, payment, or transfer of funds being used to 4229
make a contribution, expenditure, or independent expenditure. As 4230
used in this division, "designation, instruction, or 4231
encumbrance" includes any designation, instruction, or 4232
encumbrance that is direct or indirect, express or implied, oral 4233
or written, or involving an intermediary or conduit. 4234

(2) No candidate, campaign committee, political action 4235
committee, political contributing entity, legislative campaign 4236
fund, state candidate fund, political party, ~~or~~ separate 4237
segregated fund, or continuing association shall do either of 4238
the following: 4239

(a) Knowingly transfer funds, or accept a transfer of 4240
funds, directly or indirectly into an account from which the 4241
person makes contributions or expenditures from an account that 4242
is controlled by the person or by the person's affiliate and 4243
that the person, at any time, knew to contain funds described in 4244
division (W)(1) of this section that are received directly or 4245
indirectly through another person or entity from a foreign 4246
national. For purposes of this division, a person is affiliated 4247
with another person if they are both established, financed, 4248
maintained, or controlled by, or if they are, the same person, 4249
including any parent, subsidiary, division, or department of 4250
that person. 4251

(b) Otherwise knowingly solicit or accept a contribution, 4252
expenditure, or independent expenditure, directly or indirectly 4253

~~through another person or entity, from a foreign national. The~~ 4254
~~secretary of state may direct any candidate, committee, entity,~~ 4255
~~fund, or party that accepts a contribution, expenditure, or~~ 4256
~~independent expenditure in violation of this division to return~~ 4257
~~the contribution, expenditure, or independent expenditure or, if~~ 4258
~~it is not possible to return the contribution, expenditure, or~~ 4259
~~independent expenditure, then to return instead the value of it,~~ 4260
~~to the contributor.~~ 4261

(3) No person shall knowingly aid or facilitate a 4262
violation of division (W) (1) or (2) of this section. 4263

(4) As used in division (W) of this section, "foreign 4264
national" has the same meaning as in section 441e(b) of the 4265
Federal Election Campaign Act means any of the following, as 4266
applicable: 4267

(a) In the case of an individual, an individual who is not 4268
a United States citizen or national; 4269

(b) A government of a foreign country or of a political 4270
subdivision of a foreign country; 4271

(c) A foreign political party; 4272

(d) A person, other than an individual, that is organized 4273
under the laws of, or has its principal place of business in, a 4274
foreign country. 4275

(X) (1) No state or county political party shall transfer 4276
any moneys from its restricted fund to any account of the 4277
political party into which contributions may be made or from 4278
which contributions or expenditures may be made. 4279

(2) (a) No state or county political party shall deposit a 4280
contribution or contributions that it receives into its 4281

restricted fund. 4282

(b) No state or county political party shall make a 4283
contribution or an expenditure from its restricted fund. 4284

(3) (a) No corporation or labor organization shall make a 4285
gift or gifts from the corporation's or labor organization's 4286
money or property aggregating more than ten thousand dollars to 4287
any one state or county political party for the party's 4288
restricted fund in a calendar year. 4289

(b) No state or county political party shall accept a gift 4290
or gifts for the party's restricted fund aggregating more than 4291
ten thousand dollars from any one corporation or labor 4292
organization in a calendar year. 4293

(4) No state or county political party shall transfer any 4294
moneys in the party's restricted fund to any other state or 4295
county political party. 4296

(5) No state or county political party shall knowingly 4297
fail to file a statement required under section 3517.1012 of the 4298
Revised Code. 4299

(Y) The administrator of workers' compensation and the 4300
employees of the bureau of workers' compensation shall not 4301
conduct any business with or award any contract, other than one 4302
awarded by competitive bidding, for the purchase of goods 4303
costing more than five hundred dollars or services costing more 4304
than five hundred dollars to any individual, partnership, 4305
association, including, without limitation, a professional 4306
association organized under Chapter 1785. of the Revised Code, 4307
estate, or trust, if the individual has made, or the 4308
individual's spouse has made, or any partner, shareholder, 4309
administrator, executor, or trustee, or the spouses of any of 4310

those individuals has made, as an individual, within the two 4311
previous calendar years, one or more contributions totaling in 4312
excess of one thousand dollars to the campaign committee of the 4313
governor or lieutenant governor or to the campaign committee of 4314
any candidate for the office of governor or lieutenant governor. 4315

(Z) The administrator of workers' compensation and the 4316
employees of the bureau of workers' compensation shall not 4317
conduct business with or award any contract, other than one 4318
awarded by competitive bidding, for the purchase of goods 4319
costing more than five hundred dollars or services costing more 4320
than five hundred dollars to a corporation or business trust, 4321
except a professional association organized under Chapter 1785. 4322
of the Revised Code, if an owner of more than twenty per cent of 4323
the corporation or business trust, or the spouse of the owner, 4324
has made, as an individual, within the two previous calendar 4325
years, taking into consideration only owners for all of such 4326
period, one or more contributions totaling in excess of one 4327
thousand dollars to the campaign committee of the governor or 4328
lieutenant governor or to the campaign committee of any 4329
candidate for the office of governor or lieutenant governor. 4330

Sec. 3517.155. (A) (1) Except as otherwise provided in 4331
division (B) of this section, the Ohio elections commission 4332
shall hold its first hearing on a complaint filed with it, other 4333
than a complaint that receives an expedited hearing under 4334
section 3517.156 of the Revised Code, not later than ninety 4335
business days after the complaint is filed unless the commission 4336
has good cause to hold the hearing after that time, in which 4337
case it shall hold the hearing not later than one hundred eighty 4338
business days after the complaint is filed. At the hearing, the 4339
commission shall determine whether or not the failure to act or 4340
the violation alleged in the complaint has occurred and shall do 4341

only one of the following, except as otherwise provided in 4342
~~division (B) of this section or in division (B) of section~~ 4343
3517.151 of the Revised Code: 4344

(a) Enter a finding that good cause has been shown not to 4345
impose a fine or not to refer the matter to the appropriate 4346
prosecutor; 4347

(b) Impose a fine under section 3517.993 of the Revised 4348
Code; 4349

(c) Refer the matter to the appropriate prosecutor~~+~~. 4350

(2) As used in division (A) of this section, "appropriate 4351
prosecutor" means ~~a prosecutor as defined in section 2935.01 of~~ 4352
~~the Revised Code and either of the following:~~ 4353

(a) In the case of a failure to comply with or a violation 4354
of law involving a campaign committee or the committee's 4355
candidate, a political party, a legislative campaign fund, a 4356
political action committee, or a political contributing entity, 4357
that is required to file a statement of contributions and 4358
expenditures with the secretary of state under division (A) of 4359
section 3517.11 of the Revised Code, ~~the prosecutor of Franklin~~ 4360
~~county attorney general, except that if the attorney general is~~ 4361
a victim or witness or otherwise involved in the matter, 4362
"appropriate prosecutor" means a county prosecutor whom the 4363
commission deems appropriate to prosecute the matter; 4364

(b) In the case of a failure to comply with or a violation 4365
of law involving any other campaign committee or committee's 4366
candidate, or any other political party, political action 4367
committee, or political contributing entity, either of the 4368
following as determined by the commission: 4369

(i) ~~The prosecutor of Franklin county attorney general,~~ 4370

except that if the attorney general is a victim or witness or 4371
otherwise involved in the matter, the commission shall refer the 4372
matter to the prosecutor described in division (A) (2) (b) (ii) of 4373
this section; 4374

(ii) The prosecutor of the county in which the candidacy 4375
or ballot question or issue is submitted to the electors or, if 4376
it is submitted in more than one county, the most populous of 4377
those counties, except that if that prosecutor is a victim or 4378
witness or otherwise involved in the matter, the commission 4379
shall refer the matter to the attorney general. 4380

(3) When the commission refers a matter to the attorney 4381
general under this section, or when the attorney general assumes 4382
responsibility for the prosecution of a matter under division 4383
(D) (3) (b) of this section, the attorney general may prosecute 4384
the matter with all the rights, privileges, and powers conferred 4385
by law on prosecuting attorneys, including the power to appear 4386
before grand juries and to interrogate witnesses before such 4387
grand juries. These powers of the attorney general are in 4388
addition to any other applicable powers of the attorney general. 4389

(B) If the commission decides that the evidence is 4390
insufficient for it to determine whether or not the failure to 4391
act or the violation alleged in the complaint has occurred, the 4392
commission, by the affirmative vote of five members, may request 4393
that an investigatory attorney investigate the complaint. Upon 4394
that request, an investigatory attorney shall make an 4395
investigation in order to produce sufficient evidence for the 4396
commission to decide the matter. If the commission requests an 4397
investigation under this division, for good cause shown by the 4398
investigatory attorney, the commission may extend by sixty days 4399
the deadline for holding its first hearing on the complaint as 4400

required in division (A) of this section. 4401

(C) The commission shall take one of the actions required 4402
under division (A) of this section not later than thirty days 4403
after the close of all the evidence presented. 4404

(D) (1) The commission shall make any finding of a failure 4405
to comply with or a violation of law in regard to a complaint 4406
that alleges a violation of division (A) or (B) of section 4407
3517.21, or division (A) or (B) of section 3517.22 of the 4408
Revised Code by clear and convincing evidence. The commission 4409
shall make any finding of a failure to comply with or a 4410
violation of law in regard to any other complaint by a 4411
preponderance of the evidence. 4412

(2) If the commission finds a violation of division (B) of 4413
section 3517.21 or division (B) of section 3517.22 of the 4414
Revised Code, it shall refer the matter to the appropriate 4415
prosecutor under division (A) (1) (c) of this section and shall 4416
not impose a fine under division (A) (1) (b) of this section or 4417
section 3517.993 of the Revised Code. 4418

(3) (a) If the commission finds a violation of division (W) 4419
of section 3517.13 of the Revised Code, it shall do one of the 4420
following: 4421

(i) Impose a fine under section 3517.993 of the Revised 4422
Code in an amount equal to three times the amount involved in 4423
the violation or ten thousand dollars, whichever amount is 4424
greater, with none of the fine suspended and, in the case of a 4425
violation of division (W) (2) of section 3517.13 of the Revised 4426
Code, order the violator to return an amount equal to any amount 4427
accepted in violation of that division to the foreign national 4428
from whom it was accepted; 4429

(ii) Refer the matter to the appropriate prosecutor. 4430

(b) (i) Except as otherwise provided in division (D) (3) (b) 4431
(ii) of this section, if the commission finds a violation of 4432
division (W) of section 3517.13 of the Revised Code and refers 4433
the matter to a county prosecutor under division (A) (2) (b) (ii) 4434
of this section, upon the request of the prosecutor to whom the 4435
commission refers the matter or upon the attorney general's own 4436
initiative, the attorney general may assume responsibility for 4437
the prosecution of the matter. 4438

(ii) Division (D) (3) (b) (i) of this section does not apply 4439
to any matter in which the attorney general is a victim or 4440
witness or is otherwise involved. 4441

(E) In an action before the commission or a panel of the 4442
commission, if the allegations of the complainant are not 4443
proved, and the commission takes the action described in 4444
division (A) (1) (a) of this section or a panel of the commission 4445
takes the action described in division (C) (1) of section 4446
3517.156 of the Revised Code, the commission or a panel of the 4447
commission may find that the complaint is frivolous, and, if the 4448
commission or panel so finds, the commission shall order the 4449
complainant to pay reasonable attorney's fees and to pay the 4450
costs of the commission or panel as determined by a majority of 4451
the members of the commission. The costs paid to the commission 4452
or panel under this division shall be deposited into the Ohio 4453
elections commission fund. 4454

Sec. 3517.992. This section establishes penalties only 4455
with respect to acts or failures to act that occur on and after 4456
August 24, 1995. 4457

(A) (1) A candidate whose campaign committee violates 4458

division (A), (B), (C), (D), or (V) of section 3517.13 of the 4459
Revised Code, or a treasurer of a campaign committee who 4460
violates any of those divisions, shall be fined not more than 4461
one hundred dollars for each day of violation. 4462

(2) Whoever violates division (E) or (X) (5) of section 4463
3517.13 or division (E) (1) of section 3517.1014 of the Revised 4464
Code shall be fined not more than one hundred dollars for each 4465
day of violation. 4466

(B) An entity that violates division (G) (1) of section 4467
3517.101 of the Revised Code shall be fined not more than one 4468
hundred dollars for each day of violation. 4469

(C) Whoever violates division (G) (2) of section 3517.101, 4470
division (G) of section 3517.13, or division (E) (2) or (3) of 4471
section 3517.1014 of the Revised Code shall be fined not more 4472
than ten thousand dollars or, if the offender is a person who 4473
was nominated or elected to public office, shall forfeit the 4474
nomination or the office to which the offender was elected, or 4475
both. 4476

(D) Whoever violates division (F) of section 3517.13 of 4477
the Revised Code shall be fined not more than three times the 4478
amount contributed. 4479

(E) Whoever violates division (H) of section 3517.13 of 4480
the Revised Code shall be fined not more than one hundred 4481
dollars. 4482

(F) Whoever violates division (O), (P), or (Q) of section 4483
3517.13 of the Revised Code is guilty of a misdemeanor of the 4484
first degree. 4485

(G) A state or county committee of a political party that 4486
violates division (B) (1) of section 3517.18 of the Revised Code 4487

as that section existed before its repeal by H.B. 166 of the 4488
133rd general assembly shall be fined not more than twice the 4489
amount of the improper expenditure. 4490

(H) An entity that violates division (H) of section 4491
3517.101 of the Revised Code shall be fined not more than twice 4492
the amount of the improper expenditure or use. 4493

(I) (1) Any individual who violates division (B) (1) of 4494
section 3517.102 of the Revised Code and knows that the 4495
contribution the individual makes violates that division shall 4496
be fined an amount equal to three times the amount contributed 4497
in excess of the amount permitted by that division. 4498

(2) Any political action committee that violates division 4499
(B) (2) of section 3517.102 of the Revised Code shall be fined an 4500
amount equal to three times the amount contributed in excess of 4501
the amount permitted by that division. 4502

(3) Any campaign committee that violates division (B) (3) 4503
or (5) of section 3517.102 of the Revised Code shall be fined an 4504
amount equal to three times the amount contributed in excess of 4505
the amount permitted by that division. 4506

(4) (a) Any legislative campaign fund that violates 4507
division (B) (6) of section 3517.102 of the Revised Code shall be 4508
fined an amount equal to three times the amount transferred or 4509
contributed in excess of the amount permitted by that division, 4510
as applicable. 4511

(b) Any state political party, county political party, or 4512
state candidate fund of a state political party or county 4513
political party that violates division (B) (6) of section 4514
3517.102 of the Revised Code shall be fined an amount equal to 4515
three times the amount transferred or contributed in excess of 4516

the amount permitted by that division, as applicable. 4517

(c) Any political contributing entity that violates 4518
division (B) (7) of section 3517.102 of the Revised Code shall be 4519
fined an amount equal to three times the amount contributed in 4520
excess of the amount permitted by that division. 4521

(5) Any political party that violates division (B) (4) of 4522
section 3517.102 of the Revised Code shall be fined an amount 4523
equal to three times the amount contributed in excess of the 4524
amount permitted by that division. 4525

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 4526
(5) of this section, no violation of division (B) of section 4527
3517.102 of the Revised Code occurs, and the secretary of state 4528
shall not refer parties to the Ohio elections commission, if the 4529
amount transferred or contributed in excess of the amount 4530
permitted by that division meets either of the following 4531
conditions: 4532

(a) It is completely refunded within five business days 4533
after it is accepted. 4534

(b) It is completely refunded on or before the tenth 4535
business day after notification to the recipient of the excess 4536
transfer or contribution by the board of elections or the 4537
secretary of state that a transfer or contribution in excess of 4538
the permitted amount has been received. 4539

(J) (1) Any campaign committee that violates division (C) 4540
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 4541
shall be fined an amount equal to three times the amount 4542
accepted in excess of the amount permitted by that division. 4543

(2) (a) Any county political party that violates division 4544
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 4545

shall be fined an amount equal to three times the amount 4546
accepted. 4547

(b) Any county political party that violates division (C) 4548
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 4549
an amount from its state candidate fund equal to three times the 4550
amount accepted in excess of the amount permitted by that 4551
division. 4552

(c) Any state political party that violates division (C) 4553
(4) (b) of section 3517.102 of the Revised Code shall be fined an 4554
amount from its state candidate fund equal to three times the 4555
amount accepted in excess of the amount permitted by that 4556
division. 4557

(3) Any legislative campaign fund that violates division 4558
(C) (5) of section 3517.102 of the Revised Code shall be fined an 4559
amount equal to three times the amount accepted in excess of the 4560
amount permitted by that division. 4561

(4) Any political action committee or political 4562
contributing entity that violates division (C) (7) of section 4563
3517.102 of the Revised Code shall be fined an amount equal to 4564
three times the amount accepted in excess of the amount 4565
permitted by that division. 4566

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 4567
this section, no violation of division (C) of section 3517.102 4568
of the Revised Code occurs, and the secretary of state shall not 4569
refer parties to the Ohio elections commission, if the amount 4570
transferred or contributed in excess of the amount permitted to 4571
be accepted by that division meets either of the following 4572
conditions: 4573

(a) It is completely refunded within five business days 4574

after its acceptance. 4575

(b) It is completely refunded on or before the tenth 4576
business day after notification to the recipient of the excess 4577
transfer or contribution by the board of elections or the 4578
secretary of state that a transfer or contribution in excess of 4579
the permitted amount has been received. 4580

(K) (1) Any legislative campaign fund that violates 4581
division (F) (1) of section 3517.102 of the Revised Code shall be 4582
fined twenty-five dollars for each day of violation. 4583

(2) Any legislative campaign fund that violates division 4584
(F) (2) of section 3517.102 of the Revised Code shall give to the 4585
treasurer of state for deposit into the state treasury to the 4586
credit of the Ohio elections commission fund all excess 4587
contributions not disposed of as required by division (E) of 4588
section 3517.102 of the Revised Code. 4589

(L) Whoever violates section 3517.105 of the Revised Code 4590
shall be fined one thousand dollars. 4591

(M) (1) Whoever solicits a contribution in violation of 4592
section 3517.092 or violates division (B) of section 3517.09 of 4593
the Revised Code is guilty of a misdemeanor of the first degree. 4594

(2) Whoever knowingly accepts a contribution in violation 4595
of division (B) or (C) of section 3517.092 of the Revised Code 4596
shall be fined an amount equal to three times the amount 4597
accepted in violation of either of those divisions and shall 4598
return to the contributor any amount so accepted. Whoever 4599
unknowingly accepts a contribution in violation of division (B) 4600
or (C) of section 3517.092 of the Revised Code shall return to 4601
the contributor any amount so accepted. 4602

(N) Whoever violates division (S) of section 3517.13 of 4603

the Revised Code shall be fined an amount equal to three times 4604
the amount of funds transferred or three times the value of the 4605
assets transferred in violation of that division. 4606

(O) Any campaign committee that accepts a contribution or 4607
contributions in violation of section 3517.108 of the Revised 4608
Code, uses a contribution in violation of that section, or fails 4609
to dispose of excess contributions in violation of that section 4610
shall be fined an amount equal to three times the amount 4611
accepted, used, or kept in violation of that section. 4612

(P) Any political party, state candidate fund, legislative 4613
candidate fund, or campaign committee that violates division (T) 4614
of section 3517.13 of the Revised Code shall be fined an amount 4615
equal to three times the amount contributed or accepted in 4616
violation of that section. 4617

(Q) A treasurer of a committee or another person who 4618
violates division (U) of section 3517.13 of the Revised Code 4619
shall be fined not more than two hundred fifty dollars. 4620

(R) Whoever violates division (I) or (J) of section 4621
3517.13 of the Revised Code shall be fined not more than one 4622
thousand dollars. Whenever a person is found guilty of violating 4623
division (I) or (J) of section 3517.13 of the Revised Code, the 4624
contract awarded in violation of either of those divisions shall 4625
be rescinded if its terms have not yet been performed. 4626

(S) A candidate whose campaign committee violates or a 4627
treasurer of a campaign committee who violates section 3517.081 4628
of the Revised Code, and a candidate whose campaign committee 4629
violates or a treasurer of a campaign committee or another 4630
person who violates division (C) of section 3517.10 of the 4631
Revised Code, shall be fined not more than five hundred dollars. 4632

(T) A candidate whose campaign committee violates or a treasurer of a committee who violates division (B) of section 3517.09 of the Revised Code, or a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.09 of the Revised Code shall be fined not more than one thousand dollars.

(U) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.

(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.

(W) A campaign committee that is required to file a declaration of no limits under division (D) (2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.

(X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 of the Revised Code shall be fined twenty-five dollars for each day of violation.

(Y) (1) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152

of the Revised Code all funds not disposed of pursuant to that 4662
division. 4663

(2) Any treasurer of a transition fund that fails to 4664
dispose of assets remaining in the transition fund as required 4665
under division (H) (1) or (2) of section 3517.1014 of the Revised 4666
Code shall give to the treasurer of state for deposit into the 4667
Ohio elections commission fund all assets not disposed of 4668
pursuant to that division. 4669

(Z) Any individual, campaign committee, political action 4670
committee, political contributing entity, legislative campaign 4671
fund, political party, treasurer of a transition fund, or other 4672
entity that violates any provision of sections 3517.09 to 4673
3517.12 of the Revised Code for which no penalty is provided for 4674
under any other division of this section shall be fined not more 4675
than one thousand dollars. 4676

(AA) (1) Whoever knowingly violates division (W) (1) of 4677
section 3517.13 of the Revised Code shall be fined an amount 4678
equal to three times the amount contributed, expended, or 4679
promised in violation of that division or ten thousand dollars, 4680
whichever amount is greater. 4681

(2) Whoever knowingly violates division (W) (2) of section 4682
3517.13 of the Revised Code shall be fined an amount equal to 4683
three times the amount solicited or accepted in violation of 4684
that division or ten thousand dollars, whichever amount is 4685
greater, and shall be required to return an amount equal to any 4686
amount accepted in violation of that division to the foreign 4687
national from whom it was accepted. 4688

(3) Whoever knowingly violates division (W) (3) of section 4689
3517.13 of the Revised Code shall be fined an amount equal to 4690

three times the amount involved in the violation or ten thousand 4691
dollars, whichever amount is greater. 4692

(BB) Whoever knowingly violates division (C) or (D) of 4693
section 3517.1011 of the Revised Code shall be fined not more 4694
than ten thousand dollars plus not more than one thousand 4695
dollars for each day of violation. 4696

(CC) (1) Subject to division (CC) (2) of this section, 4697
whoever violates division (H) of section 3517.1011 of the 4698
Revised Code shall be fined an amount up to three times the 4699
amount disbursed for the direct costs of airing the 4700
communication made in violation of that division. 4701

(2) Whoever has been ordered by the Ohio elections 4702
commission or by a court of competent jurisdiction to cease 4703
making communications in violation of division (H) of section 4704
3517.1011 of the Revised Code who again violates that division 4705
shall be fined an amount equal to three times the amount 4706
disbursed for the direct costs of airing the communication made 4707
in violation of that division. 4708

(DD) (1) Any corporation or labor organization that 4709
violates division (X) (3) (a) of section 3517.13 of the Revised 4710
Code shall be fined an amount equal to three times the amount 4711
given in excess of the amount permitted by that division. 4712

(2) Any state or county political party that violates 4713
division (X) (3) (b) of section 3517.13 of the Revised Code shall 4714
be fined an amount equal to three times the amount accepted in 4715
excess of the amount permitted by that division. 4716

(EE) (1) Any campaign committee or person who violates 4717
division (C) (1) (b) or (c) of section 3517.1014 of the Revised 4718
Code shall be fined an amount equal to three times the amount 4719

donated in excess of the amount permitted by that division. 4720

(2) Any officeholder or treasurer of a transition fund who 4721
violates division (C)(3)(a) or (b) of section 3517.1014 of the 4722
Revised Code shall be fined an amount equal to three times the 4723
amount accepted in excess of the amount permitted by that 4724
division. 4725

Sec. 3517.993. This section authorizes the establishment 4726
of fines that may be imposed only with respect to acts or 4727
failures to act that occur on and after August 24, 1995. 4728

(A) Except as otherwise provided in ~~division~~divisions (D) 4729
(2) and (3) of section 3517.155 of the Revised Code, the Ohio 4730
elections commission may impose administrative fines under 4731
division (A)(1)(b) of section 3517.155 of the Revised Code in 4732
accordance with the amounts set forth under sections 3517.992, 4733
3599.03, and 3599.031 of the Revised Code. 4734

(B) ~~The Except as otherwise provided in division (D)(3) of~~ 4735
section 3517.155 of the Revised Code, the commission may suspend 4736
all or part of a fine it imposes under this section upon 4737
whatever terms and conditions the commission considers just. 4738

(C)(1) The commission shall consider any of the following 4739
circumstances in determining whether to impose a maximum fine 4740
under this section: 4741

(a) Whether the violator has been found guilty of any 4742
other violation of Title XXXV of the Revised Code; 4743

(b) Whether the violation was made knowingly or purposely; 4744

(c) Whether any relevant statements, addenda, or 4745
affidavits required to be filed have not been filed; 4746

(d) Whether the violator has any outstanding fines imposed 4747

for a violation of Title XXXV of the Revised Code; 4748

(e) Whether the violation occurred during the course of a 4749
campaign. 4750

(2) The commission shall consider any of the following 4751
circumstances in determining whether to impose a minimal fine or 4752
no fine under this section: 4753

(a) Whether the violator previously has not been found 4754
guilty of any other violation of Title XXXV of the Revised Code; 4755

(b) Whether the violator has promptly corrected the 4756
violator's violation; 4757

(c) Whether the nature and circumstances of the violation 4758
merit a minimum fine; 4759

(d) Whether there are substantial grounds tending to 4760
excuse or justify the violation, although failing to establish a 4761
defense to the violation; 4762

(e) Whether the violation was not purposely committed. 4763

(3) The circumstances set forth in divisions (C) (1) and 4764
(2) of this section shall be considered by, but shall not 4765
control the decision of, the commission in imposing a fine. 4766

(D) Fines imposed by the commission under this section 4767
shall be paid into the Ohio elections commission fund. 4768

Sec. 4507.112. (A) The director of public safety may 4769
authorize a third party to administer the motor vehicle skills 4770
test specified in division (A) (2) of section 4507.11 of the 4771
Revised Code. A third-party administrator may be any person, any 4772
agency of this state, or any agency, department, or 4773
instrumentality of local government, including a clerk of the 4774

court of common pleas. The third party shall administer the same 4775
skills test as otherwise would be administered by the bureau of 4776
motor vehicles. 4777

(B) For purposes of authorizing a third party to 4778
administer the motor vehicle skills test, the director and the 4779
third party shall enter into an agreement that does all of the 4780
following: 4781

(1) Allows the director or the director's representative 4782
to conduct random examinations, inspections, and audits of the 4783
third party, whether covert or overt, without prior notice; 4784

(2) Requires all examiners of the third party to meet the 4785
same qualification and training standards as examiners of the 4786
department of public safety; 4787

(3) Requires the third party to use designated road test 4788
routes that have been approved by the director; 4789

(4) If the third party also is a driver training school, 4790
prohibits a skills test examiner employed by the school from 4791
administering a skills test to an applicant that the examiner 4792
personally trained; 4793

(5) Establishes appropriate documentation and 4794
communication between the third party and the department 4795
indicating who has attempted the skills test with the third 4796
party and whether the person completed the test successfully; 4797

(6) Reserves to the department the right to take prompt 4798
and appropriate remedial action against the third party and its 4799
skills test examiners if the third party or its skills test 4800
examiners fail to comply with state standards for the testing 4801
program or with any other terms of the agreement. 4802

(C) (1) The director may adopt rules in accordance with 4803
Chapter 119. of the Revised Code establishing reasonable fees 4804
that a third party authorized to administer the motor vehicle 4805
skills test under this section may charge for the skills test. 4806

(2) If the director does not adopt the rules authorized 4807
under division (C) (1) of this section, a third party may charge 4808
a fee to an applicant who attempts the skills test with that 4809
third party. However, a third party shall not charge a fee 4810
greater than the cost of administering the skills test to that 4811
applicant. 4812

Sec. 4509.101. (A) (1) No person shall operate, or permit 4813
the operation of, a motor vehicle in this state, unless proof of 4814
financial responsibility is maintained continuously throughout 4815
the registration period with respect to that vehicle, or, in the 4816
case of a driver who is not the owner, with respect to that 4817
driver's operation of that vehicle. 4818

(2) Whoever violates division (A) (1) of this section shall 4819
be subject to the following civil penalties: 4820

(a) Subject to divisions (A) (2) (b) and (c) of this 4821
section, a class (F) suspension of the person's driver's 4822
license, commercial driver's license, temporary instruction 4823
permit, probationary license, or nonresident operating privilege 4824
for the period of time specified in division (B) (6) of section 4825
4510.02 of the Revised Code and impoundment of the person's 4826
license. The court may grant limited driving privileges to the 4827
person, but only if the person presents proof of financial 4828
responsibility and is enrolled in a reinstatement fee payment 4829
plan pursuant to section 4510.10 of the Revised Code. 4830

(b) If, within five years of the violation, the person's 4831

operating privileges are again suspended and the person's 4832
license again is impounded for a violation of division (A) (1) of 4833
this section, a class C suspension of the person's driver's 4834
license, commercial driver's license, temporary instruction 4835
permit, probationary license, or nonresident operating privilege 4836
for the period of time specified in division (B) (3) of section 4837
4510.02 of the Revised Code. The court may grant limited driving 4838
privileges to the person only if the person presents proof of 4839
financial responsibility and has complied with division (A) (5) 4840
of this section, and no court may grant limited driving 4841
privileges for the first fifteen days of the suspension. 4842

(c) If, within five years of the violation, the person's 4843
operating privileges are suspended and the person's license is 4844
impounded two or more times for a violation of division (A) (1) 4845
of this section, a class B suspension of the person's driver's 4846
license, commercial driver's license, temporary instruction 4847
permit, probationary license, or nonresident operating privilege 4848
for the period of time specified in division (B) (2) of section 4849
4510.02 of the Revised Code. The court may grant limited driving 4850
privileges to the person only if the person presents proof of 4851
financial responsibility and has complied with division (A) (5) 4852
of this section, except that no court may grant limited driving 4853
privileges for the first thirty days of the suspension. 4854

(d) In addition to the suspension of an owner's license 4855
under division (A) (2) (a), (b), or (c) of this section, the 4856
suspension of the rights of the owner to register the motor 4857
vehicle and the impoundment of the owner's certificate of 4858
registration and license plates until the owner complies with 4859
division (A) (5) of this section. 4860

The clerk of court shall waive the cost of filing a 4861

petition for limited driving privileges if, pursuant to section 4862
2323.311 of the Revised Code, the petitioner applies to be 4863
qualified as an indigent litigant and the court approves the 4864
application. 4865

(3) A person to whom this state has issued a certificate 4866
of registration for a motor vehicle or a license to operate a 4867
motor vehicle or who is determined to have operated any motor 4868
vehicle or permitted the operation in this state of a motor 4869
vehicle owned by the person shall be required to verify the 4870
existence of proof of financial responsibility covering the 4871
operation of the motor vehicle or the person's operation of the 4872
motor vehicle under either of the following circumstances: 4873

(a) The person or a motor vehicle owned by the person is 4874
involved in a traffic accident that requires the filing of an 4875
accident report under section 4509.06 of the Revised Code. 4876

(b) The person receives a traffic ticket indicating that 4877
proof of the maintenance of financial responsibility was not 4878
produced upon the request of a peace officer or state highway 4879
patrol trooper made in accordance with division (D) (2) of this 4880
section. 4881

(4) An order of the registrar that suspends and impounds a 4882
license or registration, or both, shall state the date on or 4883
before which the person is required to surrender the person's 4884
license or certificate of registration and license plates. The 4885
person is deemed to have surrendered the license or certificate 4886
of registration and license plates, in compliance with the 4887
order, if the person does either of the following: 4888

(a) On or before the date specified in the order, delivers 4889
the license or certificate of registration and license plates to 4890

the registrar; 4891

(b) Mails the license or certificate of registration and 4892
license plates to the registrar in an envelope or container 4893
bearing a postmark showing a date no later than the date 4894
specified in the order. 4895

(5) Except as provided in division (L) of this section, 4896
the registrar shall not restore any operating privileges or 4897
registration rights suspended under this section, return any 4898
license, certificate of registration, or license plates 4899
impounded under this section, or reissue license plates under 4900
section 4503.232 of the Revised Code, if the registrar destroyed 4901
the impounded license plates under that section, or reissue a 4902
license under section 4510.52 of the Revised Code, if the 4903
registrar destroyed the suspended license under that section, 4904
unless the rights are not subject to suspension or revocation 4905
under any other law and unless the person, in addition to 4906
complying with all other conditions required by law for 4907
reinstatement of the operating privileges or registration 4908
rights, complies with all of the following: 4909

(a) Pays to the registrar or an eligible deputy registrar 4910
a financial responsibility reinstatement fee of forty dollars 4911
for the first violation of division (A) (1) of this section, 4912
three hundred dollars for a second violation of that division, 4913
and six hundred dollars for a third or subsequent violation of 4914
that division; 4915

(b) If the person has not voluntarily surrendered the 4916
license, certificate, or license plates in compliance with the 4917
order, pays to the registrar or an eligible deputy registrar a 4918
financial responsibility nonvoluntary compliance fee in an 4919
amount, not to exceed fifty dollars, determined by the 4920

registrar; 4921

(c) Files and continuously maintains proof of financial 4922
responsibility under sections 4509.44 to 4509.65 of the Revised 4923
Code; 4924

(d) Pays a deputy registrar a service fee of ten dollars 4925
to compensate the deputy registrar for services performed under 4926
this section. The deputy registrar shall retain eight dollars of 4927
the service fee and shall transmit the reinstatement fee, any 4928
nonvoluntary compliance fee, and two dollars of the service fee 4929
to the registrar in the manner the registrar shall determine. 4930

(B) (1) Every party required to file an accident report 4931
under section 4509.06 of the Revised Code also shall include 4932
with the report a document described in division (G) (1) (a) of 4933
this section or shall present proof of financial responsibility 4934
through use of an electronic wireless communications device as 4935
permitted by division (G) (1) (b) of this section. 4936

If the registrar determines, within forty-five days after 4937
the report is filed, that an operator or owner has violated 4938
division (A) (1) of this section, the registrar shall do all of 4939
the following: 4940

(a) Order the impoundment, with respect to the motor 4941
vehicle involved, required under division (A) (2) (d) of this 4942
section, of the certificate of registration and license plates 4943
of any owner who has violated division (A) (1) of this section; 4944

(b) Order the suspension required under division (A) (2) 4945
(a), (b), or (c) of this section of the license of any operator 4946
or owner who has violated division (A) (1) of this section; 4947

(c) Record the name and address of the person whose 4948
certificate of registration and license plates have been 4949

impounded or are under an order of impoundment, or whose license 4950
has been suspended or is under an order of suspension; the 4951
serial number of the person's license; the serial numbers of the 4952
person's certificate of registration and license plates; and the 4953
person's social security account number, if assigned, or, where 4954
the motor vehicle is used for hire or principally in connection 4955
with any established business, the person's federal taxpayer 4956
identification number. The information shall be recorded in such 4957
a manner that it becomes a part of the person's permanent 4958
record, and assists the registrar in monitoring compliance with 4959
the orders of suspension or impoundment. 4960

(d) Send written notification to every person to whom the 4961
order pertains, at the person's last known address as shown on 4962
the records of the bureau. The person, within ten days after the 4963
date of the mailing of the notification, shall surrender to the 4964
registrar, in a manner set forth in division (A) (4) of this 4965
section, any certificate of registration and registration plates 4966
under an order of impoundment, or any license under an order of 4967
suspension. 4968

(2) The registrar shall issue any order under division (B) 4969
(1) of this section without a hearing. Any person adversely 4970
affected by the order, within ten days after the issuance of the 4971
order, may request an administrative hearing before the 4972
registrar, who shall provide the person with an opportunity for 4973
a hearing in accordance with this paragraph. A request for a 4974
hearing does not operate as a suspension of the order. The scope 4975
of the hearing shall be limited to whether the person in fact 4976
demonstrated to the registrar proof of financial responsibility 4977
in accordance with this section. The registrar shall determine 4978
the date, time, and place of any hearing, provided that the 4979
hearing shall be held, and an order issued or findings made, 4980

within thirty days after the registrar receives a request for a 4981
hearing. If requested by the person in writing, the registrar 4982
may designate as the place of hearing the county seat of the 4983
county in which the person resides or a place within fifty miles 4984
of the person's residence. The person shall pay the cost of the 4985
hearing before the registrar, if the registrar's order of 4986
suspension or impoundment is upheld. 4987

(C) Any order of suspension or impoundment issued under 4988
this section or division (B) of section 4509.37 of the Revised 4989
Code may be terminated at any time if the registrar determines 4990
upon a showing of proof of financial responsibility that the 4991
operator or owner of the motor vehicle was in compliance with 4992
division (A)(1) of this section at the time of the traffic 4993
offense, motor vehicle inspection, or accident that resulted in 4994
the order against the person. A determination may be made 4995
without a hearing. This division does not apply unless the 4996
person shows good cause for the person's failure to present 4997
satisfactory proof of financial responsibility to the registrar 4998
prior to the issuance of the order. 4999

(D)(1)(a) For the purpose of enforcing this section, every 5000
peace officer is deemed an agent of the registrar. 5001

(b) Any peace officer who, in the performance of the peace 5002
officer's duties as authorized by law, becomes aware of a person 5003
whose license is under an order of suspension, or whose 5004
certificate of registration and license plates are under an 5005
order of impoundment, pursuant to this section, may confiscate 5006
the license, certificate of registration, and license plates, 5007
and return them to the registrar. 5008

(2) A peace officer shall request the owner or operator of 5009
a motor vehicle to produce proof of financial responsibility in 5010

a manner described in division (G) of this section at the time 5011
the peace officer acts to enforce the traffic laws of this state 5012
and during motor vehicle inspections conducted pursuant to 5013
section 4513.02 of the Revised Code. 5014

(3) A peace officer shall indicate on every traffic ticket 5015
whether the person receiving the traffic ticket produced proof 5016
of the maintenance of financial responsibility in response to 5017
the officer's request under division (D) (2) of this section. The 5018
peace officer shall inform every person who receives a traffic 5019
ticket and who has failed to produce proof of the maintenance of 5020
financial responsibility that the person must submit proof to 5021
the traffic violations bureau with any payment of a fine and 5022
costs for the ticketed violation or, if the person is to appear 5023
in court for the violation, the person must submit proof to the 5024
court. 5025

(4) (a) If a person who has failed to produce proof of the 5026
maintenance of financial responsibility appears in court for a 5027
ticketed violation, the court may permit the defendant to 5028
present evidence of proof of financial responsibility to the 5029
court at such time and in such manner as the court determines to 5030
be necessary or appropriate. In a manner prescribed by the 5031
registrar, the clerk of courts shall provide the registrar with 5032
the identity of any person who fails to submit proof of the 5033
maintenance of financial responsibility pursuant to division (D) 5034
(3) of this section. 5035

(b) If a person who has failed to produce proof of the 5036
maintenance of financial responsibility also fails to submit 5037
that proof to the traffic violations bureau with payment of a 5038
fine and costs for the ticketed violation, the traffic 5039
violations bureau, in a manner prescribed by the registrar, 5040

shall notify the registrar of the identity of that person. 5041

(5) (a) Upon receiving notice from a clerk of courts or 5042
traffic violations bureau pursuant to division (D) (4) of this 5043
section, the registrar shall order the suspension of the license 5044
of the person required under division (A) (2) (a), (b), or (c) of 5045
this section and the impoundment of the person's certificate of 5046
registration and license plates required under division (A) (2) 5047
(d) of this section, effective thirty days after the date of the 5048
mailing of notification. The registrar also shall notify the 5049
person that the person must present the registrar with proof of 5050
financial responsibility in accordance with this section, 5051
surrender to the registrar the person's certificate of 5052
registration, license plates, and license, or submit a statement 5053
subject to section 2921.13 of the Revised Code that the person 5054
did not operate or permit the operation of the motor vehicle at 5055
the time of the offense. Notification shall be in writing and 5056
shall be sent to the person at the person's last known address 5057
as shown on the records of the bureau of motor vehicles. The 5058
person, within fifteen days after the date of the mailing of 5059
notification, shall present proof of financial responsibility, 5060
surrender the certificate of registration, license plates, and 5061
license to the registrar in a manner set forth in division (A) 5062
(4) of this section, or submit the statement required under this 5063
section together with other information the person considers 5064
appropriate. 5065

If the registrar does not receive proof or the person does 5066
not surrender the certificate of registration, license plates, 5067
and license, in accordance with this division, the registrar 5068
shall permit the order for the suspension of the license of the 5069
person and the impoundment of the person's certificate of 5070
registration and license plates to take effect. 5071

(b) In the case of a person who presents, within the 5072
fifteen-day period, proof of financial responsibility, the 5073
registrar shall terminate the order of suspension and the 5074
impoundment of the registration and license plates required 5075
under division (A) (2) (d) of this section and shall send written 5076
notification to the person, at the person's last known address 5077
as shown on the records of the bureau. 5078

(c) Any person adversely affected by the order of the 5079
registrar under division (D) (5) (a) or (b) of this section, 5080
within ten days after the issuance of the order, may request an 5081
administrative hearing before the registrar, who shall provide 5082
the person with an opportunity for a hearing in accordance with 5083
this paragraph. A request for a hearing does not operate as a 5084
suspension of the order. The scope of the hearing shall be 5085
limited to whether, at the time of the hearing, the person 5086
presents proof of financial responsibility covering the vehicle 5087
and whether the person is eligible for an exemption in 5088
accordance with this section or any rule adopted under it. The 5089
registrar shall determine the date, time, and place of any 5090
hearing; provided, that the hearing shall be held, and an order 5091
issued or findings made, within thirty days after the registrar 5092
receives a request for a hearing. If requested by the person, 5093
the hearing may be held remotely by electronic means. If 5094
requested by the person in writing, the registrar may designate 5095
as the place of hearing the county seat of the county in which 5096
the person resides or a place within fifty miles of the person's 5097
residence. Such person shall pay the cost of the hearing before 5098
the registrar, if the registrar's order of suspension or 5099
impoundment under division (D) (5) (a) or (b) of this section is 5100
upheld. 5101

(6) A peace officer may charge an owner or operator of a 5102

motor vehicle with a violation of section 4510.16 of the Revised 5103
Code when the owner or operator fails to show proof of the 5104
maintenance of financial responsibility pursuant to a peace 5105
officer's request under division (D) (2) of this section, if a 5106
check of the owner or operator's driving record indicates that 5107
the owner or operator, at the time of the operation of the motor 5108
vehicle, is required to file and maintain proof of financial 5109
responsibility under section 4509.45 of the Revised Code for a 5110
previous violation of this chapter. 5111

(7) Any forms used by law enforcement agencies in 5112
administering this section shall be prescribed, supplied, and 5113
paid for by the registrar. 5114

(8) No peace officer, law enforcement agency employing a 5115
peace officer, or political subdivision or governmental agency 5116
that employs a peace officer shall be liable in a civil action 5117
for damages or loss to persons arising out of the performance of 5118
any duty required or authorized by this section. 5119

(9) As used in this section, "peace officer" has the 5120
meaning set forth in section 2935.01 of the Revised Code. 5121

(E) All fees, except court costs, fees paid to a deputy 5122
registrar, and those portions of the financial responsibility 5123
reinstatement fees as otherwise specified in this division, 5124
collected under this section shall be paid into the state 5125
treasury to the credit of the public safety - highway purposes 5126
fund established in section 4501.06 of the Revised Code and used 5127
to cover costs incurred by the bureau in the administration of 5128
this section and sections 4503.20, 4507.212, and 4509.81 of the 5129
Revised Code, and by any law enforcement agency employing any 5130
peace officer who returns any license, certificate of 5131
registration, and license plates to the registrar pursuant to 5132

division (C) of this section. 5133

Of each financial responsibility reinstatement fee the 5134
registrar collects pursuant to division (A) (5) (a) of this 5135
section or receives from a deputy registrar under division (A) 5136
(5) (d) of this section, the registrar shall deposit ten dollars 5137
of each forty-dollar reinstatement fee, fifty dollars of each 5138
three-hundred-dollar reinstatement fee, and one hundred dollars 5139
of each six-hundred-dollar reinstatement fee into the state 5140
treasury to the credit of the indigent defense support fund 5141
created by section 120.08 of the Revised Code. 5142

(F) Chapter 119. of the Revised Code applies to this 5143
section only to the extent that any provision in that chapter is 5144
not clearly inconsistent with this section. 5145

(G) (1) (a) The registrar, court, traffic violations bureau, 5146
or peace officer may require proof of financial responsibility 5147
to be demonstrated by use of a standard form prescribed by the 5148
registrar. If the use of a standard form is not required, a 5149
person may demonstrate proof of financial responsibility under 5150
this section by presenting to the traffic violations bureau, 5151
court, registrar, or peace officer any of the following 5152
documents or a copy of the documents: 5153

(i) A financial responsibility identification card as 5154
provided in section 4509.103 of the Revised Code; 5155

(ii) A certificate of proof of financial responsibility on 5156
a form provided and approved by the registrar for the filing of 5157
an accident report required to be filed under section 4509.06 of 5158
the Revised Code; 5159

(iii) A policy of liability insurance, a declaration page 5160
of a policy of liability insurance, or liability bond, if the 5161

policy or bond complies with section 4509.20 or sections 4509.49 5162
to 4509.61 of the Revised Code; 5163

(iv) A bond or certification of the issuance of a bond as 5164
provided in section 4509.59 of the Revised Code; 5165

(v) A certificate of deposit of money or securities as 5166
provided in section 4509.62 of the Revised Code; 5167

(vi) A certificate of self-insurance as provided in 5168
section 4509.72 of the Revised Code. 5169

(b) A person also may present proof of financial 5170
responsibility under this section to the traffic violations 5171
bureau, court, registrar, or peace officer through use of an 5172
electronic wireless communications device as specified under 5173
section 4509.103 of the Revised Code. 5174

(2) If a person fails to demonstrate proof of financial 5175
responsibility in a manner described in division (G)(1) of this 5176
section, the person may demonstrate proof of financial 5177
responsibility under this section by any other method that the 5178
court or the bureau, by reason of circumstances in a particular 5179
case, may consider appropriate. 5180

(3) A motor carrier certificated by the interstate 5181
commerce commission or by the public utilities commission may 5182
demonstrate proof of financial responsibility by providing a 5183
statement designating the motor carrier's operating authority 5184
and averring that the insurance coverage required by the 5185
certificating authority is in full force and effect. 5186

(4) (a) A finding by the registrar or court that a person 5187
is covered by proof of financial responsibility in the form of 5188
an insurance policy or surety bond is not binding upon the named 5189
insurer or surety or any of its officers, employees, agents, or 5190

representatives and has no legal effect except for the purpose 5191
of administering this section. 5192

(b) The preparation and delivery of a financial 5193
responsibility identification card or any other document 5194
authorized to be used as proof of financial responsibility and 5195
the generation and delivery of proof of financial responsibility 5196
to an electronic wireless communications device that is 5197
displayed on the device as text or images does not do any of the 5198
following: 5199

(i) Create any liability or estoppel against an insurer or 5200
surety, or any of its officers, employees, agents, or 5201
representatives; 5202

(ii) Constitute an admission of the existence of, or of 5203
any liability or coverage under, any policy or bond; 5204

(iii) Waive any defenses or counterclaims available to an 5205
insurer, surety, agent, employee, or representative in an action 5206
commenced by an insured or third-party claimant upon a cause of 5207
action alleged to have arisen under an insurance policy or 5208
surety bond or by reason of the preparation and delivery of a 5209
document for use as proof of financial responsibility or the 5210
generation and delivery of proof of financial responsibility to 5211
an electronic wireless communications device. 5212

(c) Whenever it is determined by a final judgment in a 5213
judicial proceeding that an insurer or surety, which has been 5214
named on a document or displayed on an electronic wireless 5215
communications device accepted by a court or the registrar as 5216
proof of financial responsibility covering the operation of a 5217
motor vehicle at the time of an accident or offense, is not 5218
liable to pay a judgment for injuries or damages resulting from 5219

such operation, the registrar, notwithstanding any previous 5220
contrary finding, shall forthwith suspend the operating 5221
privileges and registration rights of the person against whom 5222
the judgment was rendered as provided in division (A) (2) of this 5223
section. 5224

(H) In order for any document or display of text or images 5225
on an electronic wireless communications device described in 5226
division (G) (1) of this section to be used for the demonstration 5227
of proof of financial responsibility under this section, the 5228
document or words or images shall state the name of the insured 5229
or obligor, the name of the insurer or surety company, and the 5230
effective and expiration dates of the financial responsibility, 5231
and designate by explicit description or by appropriate 5232
reference all motor vehicles covered which may include a 5233
reference to fleet insurance coverage. 5234

(I) For purposes of this section, "owner" does not include 5235
a licensed motor vehicle leasing dealer as defined in section 5236
4517.01 of the Revised Code, but does include a motor vehicle 5237
renting dealer as defined in section 4549.65 of the Revised 5238
Code. Nothing in this section or in section 4509.51 of the 5239
Revised Code shall be construed to prohibit a motor vehicle 5240
renting dealer from entering into a contractual agreement with a 5241
person whereby the person renting the motor vehicle agrees to be 5242
solely responsible for maintaining proof of financial 5243
responsibility, in accordance with this section, with respect to 5244
the operation, maintenance, or use of the motor vehicle during 5245
the period of the motor vehicle's rental. 5246

(J) The purpose of this section is to require the 5247
maintenance of proof of financial responsibility with respect to 5248
the operation of motor vehicles on the highways of this state, 5249

so as to minimize those situations in which persons are not 5250
compensated for injuries and damages sustained in motor vehicle 5251
accidents. The general assembly finds that this section contains 5252
reasonable civil penalties and procedures for achieving this 5253
purpose. 5254

(K) Nothing in this section shall be construed to be 5255
subject to section 4509.78 of the Revised Code. 5256

(L) (1) The registrar may terminate any suspension imposed 5257
under this section and not require the owner to comply with 5258
divisions (A) (5) (a), (b), and (c) of this section if the 5259
registrar with or without a hearing determines that the owner of 5260
the vehicle has established by clear and convincing evidence 5261
that all of the following apply: 5262

(a) The owner customarily maintains proof of financial 5263
responsibility. 5264

(b) Proof of financial responsibility was not in effect 5265
for the vehicle on the date in question for one of the following 5266
reasons: 5267

(i) The vehicle was inoperable. 5268

(ii) The vehicle is operated only seasonally, and the date 5269
in question was outside the season of operation. 5270

(iii) A person other than the vehicle owner or driver was 5271
at fault for the lapse of proof of financial responsibility 5272
through no fault of the owner or driver. 5273

(iv) The lapse of proof of financial responsibility was 5274
caused by excusable neglect under circumstances that are not 5275
likely to recur and do not suggest a purpose to evade the 5276
requirements of this chapter. 5277

(2) The registrar may grant an owner or driver relief for 5278
a reason specified in division (L)(1)(b)(iii) or (iv) of this 5279
section only if the owner or driver has not previously been 5280
granted relief under division (L)(1)(b)(iii) or (iv) of this 5281
section. 5282

(M) The registrar shall adopt rules in accordance with 5283
Chapter 119. of the Revised Code that are necessary to 5284
administer and enforce this section. The rules shall include 5285
procedures for the surrender of license plates upon failure to 5286
maintain proof of financial responsibility and provisions 5287
relating to reinstatement of registration rights, acceptable 5288
forms of proof of financial responsibility, the use of an 5289
electronic wireless communications device to present proof of 5290
financial responsibility, and verification of the existence of 5291
financial responsibility during the period of registration. 5292

(N)(1) When a person utilizes an electronic wireless 5293
communications device to present proof of financial 5294
responsibility, only the evidence of financial responsibility 5295
displayed on the device shall be viewed by the registrar, peace 5296
officer, employee or official of the traffic violations bureau, 5297
or the court. No other content of the device shall be viewed for 5298
purposes of obtaining proof of financial responsibility. 5299

(2) When a person provides an electronic wireless 5300
communications device to the registrar, a peace officer, an 5301
employee or official of a traffic violations bureau, or the 5302
court, the person assumes the risk of any resulting damage to 5303
the device unless the registrar, peace officer, employee, or 5304
official, or court personnel purposely, knowingly, or recklessly 5305
commits an action that results in damage to the device. 5306

Sec. 4517.261. (A) For the purposes of this section, 5307

"consumer price index" means the index, as prepared by the 5308
United States bureau of labor statistics (U.S. city average for 5309
urban wage earners and clerical workers: all items) or, if that 5310
index is no longer published, a generally available comparable 5311
index as determined by the registrar of motor vehicles. 5312

(B) A motor vehicle dealer may contract for and receive a 5313
documentary service charge for a retail or wholesale sale or 5314
lease of a motor vehicle. A documentary service charge shall be 5315
specified in writing without itemization of the individual 5316
services provided. A documentary service charge shall be not 5317
more than the lesser of the following: 5318

~~(A)~~ (1) The amount allowed in a retail installment sale, 5319
adjusted as required by division (C) of this section; 5320

~~(B)~~ (2) Ten per cent of the amount the buyer or lessee is 5321
required to pay pursuant to the contract, excluding tax, title, 5322
and registration fees, and any negative equity adjustment. 5323

(C) (1) On the effective date of this amendment, and on the 5324
last day of each September that begins thereafter, the registrar 5325
of motor vehicles shall adjust the documentary service charge 5326
allowed under division (B) (1) of this section in connection with 5327
the sale or lease of a motor vehicle by adding two hundred fifty 5328
dollars to the product of two hundred fifty dollars times the 5329
cumulative percentage change in the consumer price index since 5330
July 1, 2006, based on the most recently published data, and 5331
rounding to the nearest one-dollar increment. 5332

(2) Subject to division (C) (3) of this section, the 5333
adjusted documentary service charge computed under division (C) 5334
(1) of this section applies as follows: 5335

(a) For the first adjustment required by division (C) (1) 5336

of this section, from the effective date of this amendment until 5337
the last day of December following the second adjustment 5338
required by that division; 5339

(b) For the second and all subsequent adjustments required 5340
by division (C) (1) of this section, for the full calendar year 5341
following the date of the adjustment. 5342

(3) If the adjustment required by division (C) (1) of this 5343
section results in an amount less than the documentary service 5344
charge allowed at the time the adjustment is made, then the 5345
maximum documentary service charge per sale at the time the 5346
adjustment is made applies for the following calendar year. 5347

(4) The registrar shall publish the adjusted documentary 5348
service charge amount and the dates to which it applies on a web 5349
site maintained by the department of public safety. 5350

(5) The adjusted documentary service charge determined 5351
under division (C) of this section applies only with respect to 5352
the sale or lease of a motor vehicle by a motor vehicle dealer, 5353
and only if the adjusted documentary service charge does not 5354
exceed the amount described in division (B) (2) of this section. 5355

Section 2. That existing sections 9.03, 120.54, 181.21, 5356
325.33, 345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 5357
1907.11, 1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 5358
2929.20, 2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, 5359
3517.992, 3517.993, 4507.112, 4509.101, and 4517.261 of the 5360
Revised Code are hereby repealed. 5361

Section 3. That sections 135.032 and 135.321 of the 5362
Revised Code are hereby repealed. 5363

Section 4. (A) All cases arising in the municipal 5364
corporation of North Kingsville in Ashtabula County that are 5365

pending in the Eastern County Court in Ashtabula County on 5366
January 1, 2025, shall be adjudicated by the Ashtabula County 5367
County Court. All cases arising in the municipal corporation of 5368
North Kingsville in Ashtabula County on or after January 1, 5369
2025, shall be brought before the Conneaut Municipal Court. 5370

(B) All cases arising in Kingsville, Monroe, and Sheffield 5371
Townships in Ashtabula County that are pending in the Eastern 5372
County Court in Ashtabula County on January 1, 2025, shall be 5373
adjudicated by the Ashtabula County County Court. All cases 5374
arising in Kingsville, Monroe, and Sheffield Townships in 5375
Ashtabula County on or after January 1, 2025, shall be brought 5376
before the Conneaut Municipal Court. 5377

Section 5. Any fees that were collected by a clerk of 5378
court serving as a third-party administrator of a motor vehicle 5379
skills test under section 4507.112 of the Revised Code beginning 5380
on April 12, 2021, until the effective date of this section 5381
shall be paid into the county treasury to the credit of the 5382
certificate of title administration fund, as established in 5383
section 325.33 of the Revised Code. 5384