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S.B. 107
133rd General Assembly

Final Analysis

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Version: As Passed by the General Assembly

Primary Sponsor: Sen. Rulli

Effective date: January 1, 2021; Franklin County judgeship specification effective October 17, 2019

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SUMMARY

Electronic campaign finance filings

- Expands the categories of political entities permitted to file their campaign finance statements electronically to include candidates for the State Board of Education and certain local candidates and political entities.
- Prescribes the manner in which a board of elections must process electronic statements filed with the board.
- Requires the Secretary of State to store electronic statements received from boards of elections and make them available online in the same manner as other electronic statements.

Franklin County domestic relations judgeship

- Specifies that the new domestic relations judgeship of the Franklin County Court of Common Pleas, to be elected in 2020, will take office on January 3, 2021, instead of January 2, 2021.

DETAILED ANALYSIS

Electronic campaign finance filings

The act expands the categories of political entities permitted to file their campaign finance statements electronically to include candidates for the State Board of Education, candidates for local office, and certain local political entities. (The act does not affect any filing requirements that may apply to municipal or county elections held in a municipal corporation or county with a charter that specifies a different system of campaign finance regulation.)

Under continuing law, the Secretary of State must provide voluntary training to entities that file electronic campaign finance statements, if the Secretary determines that training is needed.

The table below describes the entities the act adds to the electronic filing system.¹

Entities included in electronic filing under the act		
Entity	Threshold for mandatory electronic filing	Where filed
Candidate for State Board of Education	None; electronic filing is optional	Secretary of State
Candidate for an office other than a statewide office, member of the General Assembly, or judge of a court of appeals	None; electronic filing is optional	Board of elections
County political party, with respect to contributions and expenditures other than those pertaining to the party's state candidate fund	None; electronic filing is optional	Board of elections
Political action committee or political contributing entity whose contributions and expenditures pertain only to local candidates and issues	None; electronic filing is optional	Board of elections

The following table identifies the entities currently required to file their campaign finance statements electronically.

Entities included in electronic filing under continuing law		
Entity	Threshold for mandatory electronic filing	Where filed
Candidate for statewide office	Total contributions or expenditures exceeding \$10,000; \$25,000 if permitted under Secretary of State rules	Secretary of State

¹ R.C. 3517.10(C)(6) and 3517.106 and cross-reference changes to R.C. 3517.10, 3517.105, 3517.1011, and 3517.11.

Entities included in electronic filing under continuing law		
Entity	Threshold for mandatory electronic filing	Where filed
Candidate for General Assembly	Total contributions or expenditures exceeding \$10,000; may file on paper, regardless of amount, if permitted under Secretary of State rules	Secretary of State; board of elections if filing on paper
Candidate for judge of a court of appeals	Total contributions or expenditures exceeding \$10,000; may file on paper, regardless of amount, if permitted under Secretary of State rules	Secretary of State; board of elections if filing on paper
State political party	Total contributions or expenditures exceeding \$10,000	Secretary of State
Legislative campaign fund	Total contributions or expenditures exceeding \$10,000	Secretary of State
County political party, with respect to its state candidate fund	None; must file electronically	Secretary of State
Political action committee or political contributing entity that makes contributions or receives expenditures with respect to statewide candidates, General Assembly candidates, state or national political parties, legislative campaign funds, or statewide ballot issues	Total contributions or expenditures exceeding \$10,000	Secretary of State
Individual, partnership, or other entity that makes independent expenditures in support of or opposition to a statewide candidate or statewide ballot issue	Total contributions or expenditures exceeding \$10,000	Secretary of State

Filing electronic statements with a board of elections

Under the act, a board of elections that receives an electronic campaign finance statement must transmit it to the Secretary of State within five business days after receiving it. If the board receives an addendum to or an amended version of that statement, the board must transmit the addendum or amended statement to the Secretary by the close of business on the day the board received it.

The act requires the Secretary to prescribe by rule the following procedures for filing electronic statements with a board of elections, similar to the current procedures for filing electronic statements with the Secretary:²

- The manner in which a board must immediately acknowledge the receipt of an electronic statement and preserve the statement;
- One or more techniques by which a person who files an electronic statement with a board must electronically sign the statement; and
- The appropriate methodology, protocol, and data file structure for statements filed electronically with a board.

Records of electronic statements

Retention of statements

The act requires the Secretary of State to store campaign finance statements filed electronically with a board of elections on computer in the same manner as other electronic statements. The Secretary must keep that information stored on computer for at least six years.³

Public access to statements

The Secretary of State must make campaign finance statements filed electronically with a board of elections under the act available online to the public through the internet in the same manner as other electronic statements. Under continuing law, the Secretary may remove the information from the internet after a reasonable time.

Continuing law also requires the Secretary (1) to make the Secretary's computer database of electronic statements available at the Secretary's office and (2) to make computer programs that are compatible with the Secretary's method of storing the information contained in those statements available to entities that are permitted or required to file electronic statements and to members of the news media and other interested persons for a reasonable fee.⁴

² R.C. 3517.10(C)(6) and (D)(6), 3517.106(E)(2) and (F), and 3517.11(B)(3).

³ R.C. 3517.106(B) and (D).

⁴ R.C. 3517.10(D)(7) and 3517.106(C), (E), and (G).

Franklin County domestic relations judgeship

The Franklin County Court of Common Pleas has 24 judges. The 24th judge will be elected in 2020 and designated as one of the judges of the court's Division of Domestic Relations.⁵

The act changes the commencement of that judge's term from January 2, 2021, to January 3, 2021. Commencing the term on January 2, 2021, would have coincided with the commencement of the term of another judgeship to be elected in 2020. The act's change avoids having two judgeships with the same term commencement date. The commencement date is used to determine which judgeship an individual is pursuing, and having two judgeships with the same commencement date would tend to complicate the petition process.⁶

HISTORY

Action	Date
Introduced	03-13-19
Reported, S. Gov't Oversight & Reform	05-08-19
Passed Senate (32-0)	05-08-19
Reported, H. State & Local Gov't	06-20-19
Passed House (95-0)	06-27-19
Senate concurred in House amendments (32-0)	06-29-19

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⁵ R.C. 2301.03(A).

⁶ R.C. 2301.02(C) and 2301.03(A).