



Ohio Elections Commission
State Office Tower, 14th Floor
Columbus, Ohio 43266-0418
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October 24, 1988

Advisory Opinion No. 88-5

SYLLABUS: Monies from the Ohio Political Party Fund may not be used to pay for the production or distribution of candidate slate cards.

TO: Nancy J. Moore

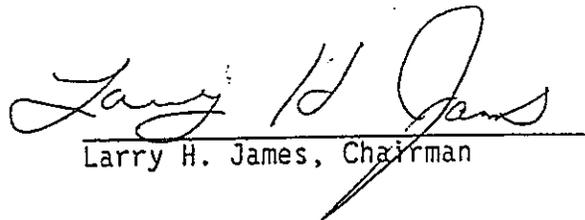
You have requested an opinion on the following question:

May a political party use monies received from the Ohio Political Party Fund to pay the costs associated with producing and distributing a candidate slate card?

Division (B)(1) of Revised Code section 3517.18 states that monies from the Ohio Political Party Fund shall not be used to further the election or defeat of any particular candidate or to influence directly the outcome of any candidate or issue election. In a prior opinion, this commission ruled that, "Furthering the election or defeat of a particular candidate includes furthering the election or defeat of more than one particular candidate." See, Advisory Opinion No. 88-3..

Political party slate cards containing the names of the party's candidates are obviously designed to influence the election with respect to those candidates.

For the reasons stated herein, it is the opinion of the Ohio Elections Commission that monies from the Ohio Political Party Fund may not be used to pay for the production or distribution of candidate slate cards.


Larry H. James, Chairman

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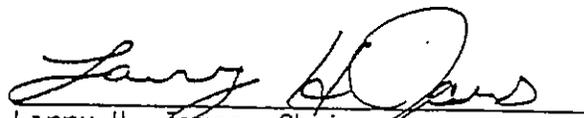
as to whether such lists may be used to conduct partisan registration.

Partisan registration drives attempt to identify unregistered persons who are likely to vote for candidates of a particular party. In resolving this question, it is important to note that the General Assembly recognized that almost every activity of a political party is related to directly or indirectly influencing the results of elections in favor of the party's candidates. The general prohibition in R.C.3517.18(B)(1) by its own language applies only to furthering the election or defeat of any particular candidate or to influencing directly the outcome of any election. Registration activities aimed at registering only individuals likely to support a particular party's candidates does not directly affect the outcome of an election. Its effect is only indirect. Furthermore, so long as the registration activity is not combined with material or a message identifying a candidate, it does not further the election or defeat of any particular candidate. Under these circumstances, moneys from the Ohio Political Party Fund may be used to pay for lists of registered voters. If such lists are used for both discussed purposes, then only the prorated portion of their cost related to registration activity may be paid from the Ohio Political Party Fund.

With respect to the second part of your question, it is clear from what has been stated above that the costs associated with holding a rally promoting the election of the party's candidates may not be paid for with moneys received from the Ohio Political Party Fund.

For the reasons stated herein, it is the opinion of the Ohio Elections Commission that:

1. Moneys from the Ohio Political Party Fund may not be used to pay for walking lists of registered voters if those lists will be used by the political party or its candidates solely to promote the election of the party's candidates.
2. Moneys from the Ohio Political Fund may be used to pay for partisan voter registration activities conducted by a political party so long as they are not conducted in conjunction with promoting one or more particular candidates by name.
3. Moneys from the Ohio Political Party Fund may not be used to pay for the costs associated with a rally promoting the political party's candidates.


Larry H. James, Chairman