

## **3517.101 Gift to pay for office facilities.**

(A) As used in this section:

(1) "Gift" means a gift, subscription, loan, advance, or deposit of money or anything of value, given to an entity described in division (C) of this section, that is specifically designated and used to defray any cost incurred on or after the effective date of this amendment for any of the following purposes, and that is not used solely for the purpose of directly influencing the election of any individual candidate in any particular election for any office:

(a) The construction, renovation, purchase, or lease of an office facility and any real property taxes associated with the facility;

(b) Furniture and fixtures to be installed in an office facility;

(c) Equipment and supplies to be used in an office facility, including telecommunications and computer hardware and software;

(d) The operating costs, maintenance, and repair of an office facility, other than personnel costs.

(2) "Address" has the meaning given in division (F) of section 3517.10 of the Revised Code.

(3) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, political contributing entity, separate segregated fund, association, labor organization, corporation, or other organization or group of persons, other than a public utility as defined in section 4905.02 of the Revised Code.

(4) "Political party" means only a major political party.

(B) Any person may make a gift to an entity described in division (C) of this section if the gift is specifically designated and used to defray any cost incurred on or after the effective date of this amendment for the purposes described in division (A)(1) of this section. A gift of money shall not exceed ten thousand dollars per calendar year, as adjusted under section 3517.104 of the Revised Code. Such gift shall not be considered a contribution or expenditure prohibited by any section of the Revised Code.

(C) Any of the following entities may receive a gift under this section:

(1) A state political party;

(2) A county political party;

(3) A legislative campaign fund.

(D)

(1) Each entity that receives a gift pursuant to this section shall file on a form prescribed by the secretary of state, a full, true, and itemized statement describing the gift received and how it was disbursed. The statement shall be made under penalty of election falsification and shall be filed not later than four p.m. of the last day of January of every year to reflect gifts received and disbursed during the immediately preceding calendar year.

(2) Each statement required under division (D)(1) of this section shall contain all of the following information:

(a) The full name and address of the entity filing the statement, including its treasurer;

(b) A description of each gift received, which shall include:

(i) The month, day, and year on which the gift was received;

- (ii) The full name and address of each person from whom or from which the gift was received;
- (iii) The nature of the gift, if other than money;
- (iv) The value of the gift in dollars and cents.

Each gift received shall be itemized separately regardless of its amount or value.

- (c) An itemization of how each gift was disbursed;
- (d) The total value of gifts received and gifts disbursed during each reporting period;
- (e) The total costs incurred for the purposes for which a gift is used.

(E)

(1) All monetary gifts and all income from the lease or rental of an office facility for which a gift is used shall be deposited in an account separate from other funds and maintained in that separate account. Moneys in the account shall be used only for the purposes described in division (A)(1) of this section.

(2)

When an entity described in division (C) of this section sells an office facility that was constructed, renovated, or purchased in whole or in part from monetary gifts or sells furniture, fixtures, equipment, or supplies that were purchased in whole or in part from monetary gifts, the entity shall deposit in the account under division (E)(1) of this section an amount that is the same percentage of the total proceeds of the sale as the monetary gifts were of the total cost of those goods or services. Proceeds deposited in the account shall be used only for the purposes described in division (A)(1) of this section.

(F) A state political party or a legislative campaign fund shall file a statement required under this section with the secretary of state and a county political party shall file a statement required under this section with the board of elections of the county in which the party is located.

(G)

(1) No entity shall fail to file a statement required to be filed under this section.

(2) No entity shall knowingly fail to report, or shall knowingly misrepresent, a gift required to be reported on a statement required to be filed under this section.

(H) No entity shall expend or use a gift for a purpose other than the purposes described in division (A)(1) of this section .

(I) Prior to receiving any gift under this section, every entity shall appoint a treasurer and file, on a form prescribed by the secretary of state, a designation of the appointment, including the full name and address of the entity. The designation shall be filed with the official with whom the entity is required to file statements under division (E) of this section. The treasurer shall keep a strict account of all gifts required to be reported under this section. The secretary of state or board of elections, as the case may be, shall, if requested, issue a receipt for each statement filed under this section and preserve a record of the filing for at least six years. All such statements shall be open to public inspection in the office where they are filed, and shall be carefully preserved for a period of at least six years after the year in which they are filed.

Amended by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Effective Date: 10-30-1989