

3599.03 Use of corporation and labor organization funds for political purposes.

(A)

(1) Except to carry on activities specified in sections [3517.082](#), [3517.101](#), and [3517.1011](#), division (A)(2) of section [3517.1012](#), division (B) of section [3517.1013](#), division (C)(1) of section [3517.1014](#), and section [3599.031](#) of the Revised Code and except as provided in divisions (D), (E), and (F) of this section, no corporation, no nonprofit corporation, and no labor organization, directly or indirectly, shall pay or use, or offer, advise, consent, or agree to pay or use, the corporation's money or property, or the labor organization's money, including dues, initiation fees, or other assessments paid by members, or property, for or in aid of or opposition to a political party, a candidate for election or nomination to public office, a political action committee including a political action committee of the corporation or labor organization, a legislative campaign fund, or any organization that supports or opposes any such candidate, or for any partisan political purpose, shall violate any law requiring the filing of an affidavit or statement respecting such use of those funds, or shall pay or use the corporation's or labor organization's money for the expenses of a social fund-raising event for its political action committee if an employee's or labor organization member's right to attend such an event is predicated on the employee's or member's contribution to the corporation's or labor organization's political action committee.

(2) Whoever violates division (A)(1) of this section shall be fined not less than five hundred nor more than five thousand dollars.

(B)

(1) No officer, stockholder, attorney, or agent of a corporation or nonprofit corporation, no member, including an officer, attorney, or agent, of a labor organization, and no candidate, political party official, or other individual shall knowingly aid, advise, solicit, or receive money or other property in violation of division (A)(1) of this section.

(2) Whoever violates division (B)(1) of this section shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

(C) A corporation, a nonprofit corporation, or a labor organization may use its funds or property for or in aid of or opposition to a proposed or certified ballot issue. Such use of funds or property shall be reported on a form prescribed by the secretary of state. Reports of contributions in connection with statewide ballot issues shall be filed with the secretary of state. Reports of contributions in connection with local issues shall be filed with the board of elections of the most populous county of the district in which the issue is submitted or to be submitted to the electors. Reports made pursuant to this division shall be filed by the times specified in divisions (A)(1) and (2) of section [3517.10](#) of the Revised Code.

(D) A nonprofit corporation that is a membership association and that is exempt from taxation under subsection 501(c)(6) of the Internal Revenue Code may transfer contributions received as part of a regular dues payment from member partnerships and other unincorporated businesses as defined in division (I)(6) of section [3517.10](#) of the Revised Code to its political action committee. Contributions received under this division shall be itemized and allocated to individuals subject to contribution limits.

(E)

(1) Any gift made pursuant to section [3517.101](#) of the Revised Code does not constitute a violation of this section or of any other section of the Revised Code.

(2) Any gift made pursuant to division (A)(2) of section [3517.1012](#) of the Revised Code does not constitute a violation of this section.

(3) Any gift made pursuant to division (B) of section [3517.1013](#) of the Revised Code does not constitute a violation of this section.

(4) Any donation made pursuant to division (C)(1) of section [3517.1014](#) of the Revised Code does not constitute a violation of this section.

(F) Any compensation or fees paid by a financial institution to a state political party for services rendered pursuant to division (B) of section [3517.19](#) of the Revised Code do not constitute a violation of this section or of any other section of the Revised Code.

(G)

(1) The use by a nonprofit corporation of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if the stockholders, members, donors, trustees, or officers of the nonprofit corporation are the predominant recipients of the communication.

(2) The placement of a campaign sign on the property of a corporation, nonprofit corporation, or labor organization is not a use of property in violation of division (A) of this section by that corporation, nonprofit corporation, or labor organization.

(3) The use by a corporation or labor organization of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if it is not a communication made by mass broadcast such as radio or television or made by advertising in a newspaper of general circulation but is a communication sent exclusively to members, employees, officers, or trustees of that labor organization or shareholders, employees, officers, or directors of that corporation or to members of the immediate families of any such individuals or if the communication intended to be so sent exclusively is unintentionally sent as well to a de minimis number of other individuals.

(H) In addition to the laws listed in division (A) of section [4117.10](#) of the Revised Code that prevail over conflicting agreements between employee organizations and public employers, this section prevails over any conflicting provisions of agreements between labor organizations and public employers that are entered into on or after March 31, 2005, pursuant to Chapter 4117. of the Revised Code.

(I) As used in this section, "labor organization" has the same meaning as in section [3517.01](#) of the Revised Code.

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

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

Amended by 129th General Assembly File No.105, SB 295, §1, eff. 8/15/2012.

Amended by 129th General Assembly File No.40, HB 194, §1 Made subject to referendum in the Nov. 6, 2012 election. The version of this section thus amended was repealed by 129th General Assembly File No.105, SB 295, §1, eff. 8/15/2012.

Amended by 128th General Assembly File No.40, HB 5, §1, eff. 9/10/2010.

Effective Date: 03-31-2005