

3517.993 Fines for acts or omissions occurring on or after 8-24-1995

This section authorizes the establishment of fines that may be imposed only with respect to acts or failures to act that occur on and after August 24, 1995.

(A) Except as otherwise provided in division (D)(2) of section 3517.155 of the Revised Code, the Ohio elections commission may impose administrative fines under division (A)(1)(b) of section 3517.155 of the Revised Code in accordance with the amounts set forth under sections 3517.992, 3599.03, and 3599.031 of the Revised Code.

(B) The commission may suspend all or part of a fine it imposes under this section upon whatever terms and conditions the commission considers just.

(C)(1) The commission shall consider any of the following circumstances in determining whether to impose a maximum fine under this section:

- (a) Whether the violator has been found guilty of any other violation of Title XXXV of the Revised Code;
- (b) Whether the violation was made knowingly or purposely;
- (c) Whether any relevant statements, addenda, or affidavits required to be filed have not been filed;
- (d) Whether the violator has any outstanding fines imposed for a violation of Title XXXV of the Revised Code;
- (e) Whether the violation occurred during the course of a campaign.

(2) The commission shall consider any of the following circumstances in determining whether to impose a minimal fine or no fine under this section:

- (a) Whether the violator previously has not been found guilty of any other violation of Title XXXV of the Revised Code;
- (b) Whether the violator has promptly corrected the violator's violation;
- (c) Whether the nature and circumstances of the violation merit a minimum fine;
- (d) Whether there are substantial grounds tending to excuse or justify the violation, although failing to establish a defense to the violation;
- (e) Whether the violation was not purposely committed.

(3) The circumstances set forth in divisions (C)(1) and (2) of this section shall be considered by, but shall not control the decision of, the commission in imposing a fine.

(D) Fines imposed by the commission under this section shall be paid into the Ohio elections commission fund.