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OHIO LEGISLATIVE SERVICE COMMISSION

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Substitute Bill Comparative Synopsis

Sub. H.B. 1

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House Government Oversight

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

H.B. 1 (As Introduced)	Latest Version (I_135_2603-6)
Political spending by foreign nationals	
<p>Prohibits a foreign national, directly or indirectly, from doing any of the following:</p> <ul style="list-style-type: none"> ▪ Making a contribution to a candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund or to the committee in charge of a statewide initiative or referendum petition; ▪ Making an expenditure in support of or opposition to a candidate for any elective office in Ohio, including an office of a political party, or in support of or opposition to any statewide ballot issue; ▪ Promising, either expressly or implicitly, to make a contribution or expenditure as prohibited above. 	<p>Prohibits a foreign national, directly or indirectly, from doing any of the following:</p> <ul style="list-style-type: none"> ▪ Making a contribution or expenditure in support of or opposition to a candidate for any elective office in Ohio, including an office of a political party; ▪ Making a contribution or expenditure in support of or opposition to a statewide ballot issue, regardless of whether it has yet been certified to appear on the ballot; ▪ Making a disbursement for the direct cost of producing or airing an electioneering communication; ▪ Making a contribution to a candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund, to any committee

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<p>Retains the current penalty for a violation, which is a fine of three times the amount involved in the violation or \$10,000, whichever is greater. <i>(R.C. 3517.13(W)(1) and 3517.992.)</i></p>	<p>created to support or oppose a ballot issue, or, to the maximum extent permitted by law and by the U.S. and Ohio Constitutions, to a continuing association;</p> <ul style="list-style-type: none"> ▪ Promising, either expressly or implicitly, to make a contribution or expenditure as prohibited above.
<p>Prohibits a candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund or the committee in charge of a statewide initiative or referendum petition from knowingly soliciting or accepting a contribution or expenditure from a foreign national.</p>	<p>Makes a violation a first degree misdemeanor on a first offense and a fifth degree felony for each subsequent offense, in addition to the current fine. <i>(R.C. 3517.121(B) and (F)(1).)</i></p>
<p>Retains the current fine for a violation, which is three times the amount involved in the violation or \$10,000, whichever is greater.</p>	<p>Prohibits any individual, candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, separate segregated fund, or committee created to support or oppose a ballot issue and, to the maximum extent permitted by law and by the U.S. and Ohio Constitutions, a continuing association, directly or indirectly, from knowingly doing either of the following:</p> <ul style="list-style-type: none"> ▪ Soliciting, accepting, or receiving any funds from a foreign national for any prohibited purpose described above; ▪ Making a contribution or expenditure using any funds the person knows were received from a foreign national for any prohibited purpose described above.
<p>Requires the violator to return the contribution to the foreign national, instead of the current law that allows the Secretary of State to order the violator to do so. <i>(R.C. 3517.13(W)(2).)</i></p>	<p>Makes a violation a first degree misdemeanor on a first offense and a fifth degree felony for each subsequent offense, in addition to the current fine and the new requirement to return the contribution to the foreign national. <i>(R.C. 3517.121(C) and (F)(2).)</i></p>
<p>No provision.</p>	<p>Prohibits any person from knowingly aiding or facilitating a violation of the prohibitions described above.</p> <p>Makes a violation of that prohibition a first degree misdemeanor and imposes a mandatory \$1,000 fine. <i>(R.C. 3517.121(D) and (F)(3).)</i></p>

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Ballot issue committees	
<p>Prohibits any person from making a contribution to the committee in charge of a statewide initiative or referendum petition in the name of another person, similar to the continuing law regarding contributions to other political entities. <i>(R.C. 3517.13(G).)</i></p> <p>Requires that when the committee in charge of a statewide initiative or referendum petition files its designation of treasurer with the Secretary of State, it must file on the form used by other political entities. <i>(R.C. 3517.12.)</i></p>	<p>No provision.</p> <p>No provision.</p>
Enforcement of the Campaign Finance Law	
<p>Changes the prosecutors who have jurisdiction over campaign finance cases referred by the Ohio Elections Commission (OEC) for prosecution.</p> <p>Gives the Attorney General authority over certain cases currently handled by the Franklin County Prosecutor.</p> <p>Allows a county prosecutor to give a case to the Attorney General.</p> <p>Prescribes procedures for designating a different prosecutor if a prosecutor has a conflict of interest in the case. <i>(R.C. 3517.155.)</i></p>	<p>Changes the prosecutor who has jurisdiction only with respect to cases involving campaign spending by foreign nationals.</p> <p>Creates an exception to the law that requires a complaint to be filed with the OEC before a prosecution may commence for any violation of the Campaign Finance Law.</p> <p>Gives the Attorney General exclusive authority to prosecute violations of the bill, except that if the Attorney General has a conflict of interest in the case, the Attorney General must refer the case to the appropriate prosecutor as determined under the continuing law governing the OEC.</p> <p>Requires the Attorney General, in consultation with the Secretary of State, to investigate an alleged violation of the law regarding campaign spending by foreign nationals upon the occurrence of either of the following:</p> <ul style="list-style-type: none"> ▪ The submission of a written request to the Attorney General by the Governor, the Secretary, the General Assembly, or the OEC, alleging a violation; ▪ The filing of a complaint with the Attorney General by an elector of Ohio, alleging a violation.

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	Allows the Attorney General to prosecute the violation if the Attorney General determines that there is probable cause to believe that a violation has occurred. <i>(R.C. 3517.121(G) and (H).)</i>
Effective date	
Declares an emergency, meaning that the bill takes effect immediately. <i>(Section 3.)</i>	No provision.