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Synopsis of Senate Amendments

H.B. 271 of the 135th General Assembly, Special Session

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Specifies that the bill responds to the Governor's proclamation calling a special session of the General Assembly.

Deadline to certify presidential candidates

Delays the deadline, for purposes of the 2024 general election, for a major political party to certify its candidates for President and Vice-President to the Secretary of State from August 7 to the effective date of the bill.

Allows a party to make that certification, for purposes of the 2024 election, in writing by any reasonably reliable method that, under the circumstances, will provide for the Secretary to receive it by the deadline, including hand delivery, U.S. mail, commercial carrier, facsimile, or email.

Requires the Secretary to certify the forms of the official ballots by the fourth day after the bill takes effect, instead of August 27.

Specifies that these provisions are intended to apply retroactively for purposes of the 2024 general election, and that they are remedial in nature because they prevent a major political party's candidates from being inadvertently excluded from the ballot.

Campaign finance

Campaign spending by foreign nationals

Prohibits a foreign national from knowingly making a contribution or expenditure to support or oppose a state or local ballot issue, either directly or through another entity, and retains the current prohibition against a foreign national making a contribution or expenditure regarding a candidate.

Prohibits a foreign national from soliciting another person to make a contribution or expenditure.

Expands the list of entities that are prohibited from soliciting or accepting a contribution or expenditure from a foreign national to include a continuing association.

Prohibits any person from knowingly aiding or facilitating a violation of the prohibitions described above regarding foreign nationals.

Adds the term “knowingly” to each prohibition regarding foreign national campaign spending.

Prohibits a lawful permanent U.S. resident, also known as a green card holder, from making contributions or expenditures regarding ballot issues or candidates.

Requires all political entities to certify on their campaign finance filings, under penalty of election falsification, that they have not knowingly accepted, and will not knowingly accept, any campaign contributions that are prohibited under the Campaign Finance Law.

Retains the existing penalty for violating the law regarding contributions and expenditures by foreign nationals, but requires a violator to return the contribution to the foreign national, in addition to paying a fine.

Requires the Ohio Elections Commission (OEC), if it finds a violation of that law, to either (1) impose the maximum fine and, if applicable, order the violator to return the funds, or (2) refer the matter for prosecution.

Independent expenditures regarding ballot issues

Clarifies that the term “independent expenditure” includes an expenditure to advocate support of or opposition to an identified ballot issue or to achieve the successful circulation of an initiative or referendum petition, regardless of whether the issue has yet been certified to appear on the ballot.

Ballot issue committees

Specifies that if the committee in charge of a statewide initiative or referendum petition receives a contribution or makes an expenditure for the purpose of achieving the successful circulation of the petition, the committee is considered a political action committee (PAC) for that purpose and must file periodic disclosures in the same manner as any other PAC.

Enforcement of the Campaign Finance Law

Changes the prosecutors who have jurisdiction over campaign finance cases referred by the OEC for prosecution and gives the Attorney General authority over certain cases currently handled by the Franklin County Prosecutor.