

As Introduced

**126th General Assembly
Regular Session
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S. B. No. 151

**Senators Dann, Fedor, Brady, Hagan, Miller, Fingerhut, Roberts, Prentiss,
Zurz**

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A B I L L

To amend sections 102.02, 171.01, 171.03, 171.05, 1
3517.13, 3517.151, 3517.992, 4121.12, 4121.121, 2
4121.125, 4123.44, and 4123.99 and to enact 3
sections 109.579, 171.041, 3517.093, 4123.441, 4
4123.442, and 4123.444 of the Revised Code to 5
require the Ohio Retirement Study Council to 6
oversee investment of funds under the Workers' 7
Compensation Law and approve contracts entered 8
into concerning the investment of those funds, to 9
change the investment authority of the 10
Administrator of Workers' Compensation, to 11
establish restrictions concerning contracts for 12
the investment of those funds, to require that 13
criminal records checks be conducted on persons 14
involved with the investment of those funds, to 15
prohibit the Administrator from awarding a 16
contract for the investment of those funds to an 17
investment manager or business entity who has made 18
specified campaign contributions, and to prohibit 19
certain state officials from soliciting or 20
accepting campaign contributions from those 21
investment managers or business entities. 22

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 102.02, 171.01, 171.03, 171.05, 23
3517.13, 3517.151, 3517.992, 4121.12, 4121.121, 4121.125, 4123.44, 24
and 4123.99 be amended and sections 109.579, 171.041, 3517.093, 25
4123.441, 4123.442, and 4123.444 of the Revised Code be enacted to 26
read as follows: 27

Sec. 102.02. (A) Except as otherwise provided in division (H) 28
of this section, all of the following shall file with the 29
appropriate ethics commission the disclosure statement described 30
in this division on a form prescribed by the appropriate 31
commission: every person who is elected to or is a candidate for a 32
state, county, or city office and every person who is appointed to 33
fill a vacancy for an unexpired term in such an elective office; 34
all members of the state board of education; the director, 35
assistant directors, deputy directors, division chiefs, or persons 36
of equivalent rank of any administrative department of the state; 37
the president or other chief administrative officer of every state 38
institution of higher education as defined in section 3345.011 of 39
the Revised Code; the chief executive officer and the members of 40
the board of each state retirement system; each employee of a 41
state retirement board who is a state retirement system investment 42
officer licensed pursuant to section 1707.163 of the Revised Code; 43
the members of the Ohio retirement study council appointed 44
pursuant to division ~~(C)~~(B)(3) of section 171.01 of the Revised 45
Code; employees of the Ohio retirement study council, other than 46
employees who perform purely administrative or clerical functions; 47
all members of the board of commissioners on grievances and 48
discipline of the supreme court and the ethics commission created 49
under section 102.05 of the Revised Code; every business manager, 50
treasurer, or superintendent of a city, local, exempted village, 51
joint vocational, or cooperative education school district or an 52
educational service center; every person who is elected to or is a 53

candidate for the office of member of a board of education of a 54
city, local, exempted village, joint vocational, or cooperative 55
education school district or of a governing board of an 56
educational service center that has a total student count of 57
twelve thousand or more as most recently determined by the 58
department of education pursuant to section 3317.03 of the Revised 59
Code; every person who is appointed to the board of education of a 60
municipal school district pursuant to division (B) or (F) of 61
section 3311.71 of the Revised Code; all members of the board of 62
directors of a sanitary district that is established under Chapter 63
6115. of the Revised Code and organized wholly for the purpose of 64
providing a water supply for domestic, municipal, and public use, 65
and that includes two municipal corporations in two counties; 66
every public official or employee who is paid a salary or wage in 67
accordance with schedule C of section 124.15 or schedule E-2 of 68
section 124.152 of the Revised Code; members of the board of 69
trustees and the executive director of the tobacco use prevention 70
and control foundation; members of the board of trustees and the 71
executive director of the southern Ohio agricultural and community 72
development foundation; and every other public official or 73
employee who is designated by the appropriate ethics commission 74
pursuant to division (B) of this section. 75

The disclosure statement shall include all of the following: 76

(1) The name of the person filing the statement and each 77
member of the person's immediate family and all names under which 78
the person or members of the person's immediate family do 79
business; 80

(2)(a) Subject to divisions (A)(2)(b) and (c) of this section 81
and except as otherwise provided in section 102.022 of the Revised 82
Code, identification of every source of income, other than income 83
from a legislative agent identified in division (A)(2)(b) of this 84
section, received during the preceding calendar year, in the 85

person's own name or by any other person for the person's use or
benefit, by the person filing the statement, and a brief
description of the nature of the services for which the income was
received. If the person filing the statement is a member of the
general assembly, the statement shall identify the amount of every
source of income received in accordance with the following ranges
of amounts: zero or more, but less than one thousand dollars; one
thousand dollars or more, but less than ten thousand dollars; ten
thousand dollars or more, but less than twenty-five thousand
dollars; twenty-five thousand dollars or more, but less than fifty
thousand dollars; fifty thousand dollars or more, but less than
one hundred thousand dollars; and one hundred thousand dollars or
more. Division (A)(2)(a) of this section shall not be construed to
require a person filing the statement who derives income from a
business or profession to disclose the individual items of income
that constitute the gross income of that business or profession,
except for those individual items of income that are attributable
to the person's or, if the income is shared with the person, the
partner's, solicitation of services or goods or performance,
arrangement, or facilitation of services or provision of goods on
behalf of the business or profession of clients, including
corporate clients, who are legislative agents. A person who files
the statement under this section shall disclose the identity of
and the amount of income received from a person who the public
official or employee knows or has reason to know is doing or
seeking to do business of any kind with the public official's or
employee's agency.

(b) If the person filing the statement is a member of the
general assembly, the statement shall identify every source of
income and the amount of that income that was received from a
legislative agent during the preceding calendar year, in the
person's own name or by any other person for the person's use or

benefit, by the person filing the statement, and a brief 118
description of the nature of the services for which the income was 119
received. Division (A)(2)(b) of this section requires the 120
disclosure of clients of attorneys or persons licensed under 121
section 4732.12 of the Revised Code, or patients of persons 122
certified under section 4731.14 of the Revised Code, if those 123
clients or patients are legislative agents. Division (A)(2)(b) of 124
this section requires a person filing the statement who derives 125
income from a business or profession to disclose those individual 126
items of income that constitute the gross income of that business 127
or profession that are received from legislative agents. 128

(c) Except as otherwise provided in division (A)(2)(c) of 129
this section, division (A)(2)(a) of this section applies to 130
attorneys, physicians, and other persons who engage in the 131
practice of a profession and who, pursuant to a section of the 132
Revised Code, the common law of this state, a code of ethics 133
applicable to the profession, or otherwise, generally are required 134
not to reveal, disclose, or use confidences of clients, patients, 135
or other recipients of professional services except under 136
specified circumstances or generally are required to maintain 137
those types of confidences as privileged communications except 138
under specified circumstances. Division (A)(2)(a) of this section 139
does not require an attorney, physician, or other professional 140
subject to a confidentiality requirement as described in division 141
(A)(2)(c) of this section to disclose the name, other identity, or 142
address of a client, patient, or other recipient of professional 143
services if the disclosure would threaten the client, patient, or 144
other recipient of professional services, would reveal details of 145
the subject matter for which legal, medical, or professional 146
advice or other services were sought, or would reveal an otherwise 147
privileged communication involving the client, patient, or other 148
recipient of professional services. Division (A)(2)(a) of this 149

section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(c) of this section to disclose in the brief description of the nature of services required by division (A)(2)(a) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(3) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(3) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

(4) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(5) The names of all persons residing or transacting business 182
in the state to whom the person filing the statement owes, in the 183
person's own name or in the name of any other person, more than 184
one thousand dollars. Division (A)(5) of this section shall not be 185
construed to require the disclosure of debts owed by the person 186
resulting from the ordinary conduct of a business or profession or 187
debts on the person's residence or real property used primarily 188
for personal recreation, except that the superintendent of 189
financial institutions shall disclose the names of all 190
state-chartered savings and loan associations and of all service 191
corporations subject to regulation under division (E)(2) of 192
section 1151.34 of the Revised Code to whom the superintendent in 193
the superintendent's own name or in the name of any other person 194
owes any money, and that the superintendent and any deputy 195
superintendent of banks shall disclose the names of all 196
state-chartered banks and all bank subsidiary corporations subject 197
to regulation under section 1109.44 of the Revised Code to whom 198
the superintendent or deputy superintendent owes any money. 199

(6) The names of all persons residing or transacting business 200
in the state, other than a depository excluded under division 201
(A)(3) of this section, who owe more than one thousand dollars to 202
the person filing the statement, either in the person's own name 203
or to any person for the person's use or benefit. Division (A)(6) 204
of this section shall not be construed to require the disclosure 205
of clients of attorneys or persons licensed under section 4732.12 206
or 4732.15 of the Revised Code, or patients of persons certified 207
under section 4731.14 of the Revised Code, nor the disclosure of 208
debts owed to the person resulting from the ordinary conduct of a 209
business or profession. 210

(7) Except as otherwise provided in section 102.022 of the 211
Revised Code, the source of each gift of over seventy-five 212
dollars, or of each gift of over twenty-five dollars received by a 213

member of the general assembly from a legislative agent, received 214
by the person in the person's own name or by any other person for 215
the person's use or benefit during the preceding calendar year, 216
except gifts received by will or by virtue of section 2105.06 of 217
the Revised Code, or received from spouses, parents, grandparents, 218
children, grandchildren, siblings, nephews, nieces, uncles, aunts, 219
brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, 220
fathers-in-law, mothers-in-law, or any person to whom the person 221
filing the statement stands in loco parentis, or received by way 222
of distribution from any inter vivos or testamentary trust 223
established by a spouse or by an ancestor; 224

(8) Except as otherwise provided in section 102.022 of the 225
Revised Code, identification of the source and amount of every 226
payment of expenses incurred for travel to destinations inside or 227
outside this state that is received by the person in the person's 228
own name or by any other person for the person's use or benefit 229
and that is incurred in connection with the person's official 230
duties, except for expenses for travel to meetings or conventions 231
of a national or state organization to which any state agency, 232
including, but not limited to, any legislative agency or state 233
institution of higher education as defined in section 3345.011 of 234
the Revised Code, pays membership dues, or any political 235
subdivision or any office or agency of a political subdivision 236
pays membership dues; 237

(9) Except as otherwise provided in section 102.022 of the 238
Revised Code, identification of the source of payment of expenses 239
for meals and other food and beverages, other than for meals and 240
other food and beverages provided at a meeting at which the person 241
participated in a panel, seminar, or speaking engagement or at a 242
meeting or convention of a national or state organization to which 243
any state agency, including, but not limited to, any legislative 244
agency or state institution of higher education as defined in 245

section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year;

(10) If the disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that public official or employee by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.

A person may file a statement required by this section in person or by mail. A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on. A person who holds elective office shall file the statement on or before the fifteenth day of April of each year unless the person is a candidate for office. A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office. Other persons shall file an annual statement on or before the fifteenth day of April or, if appointed or employed after that

date, within ninety days after appointment or employment. No 278
person shall be required to file with the appropriate ethics 279
commission more than one statement or pay more than one filing fee 280
for any one calendar year. 281

The appropriate ethics commission, for good cause, may extend 282
for a reasonable time the deadline for filing a statement under 283
this section. 284

A statement filed under this section is subject to public 285
inspection at locations designated by the appropriate ethics 286
commission except as otherwise provided in this section. 287

(B) The Ohio ethics commission, the joint legislative ethics 288
committee, and the board of commissioners on grievances and 289
discipline of the supreme court, using the rule-making procedures 290
of Chapter 119. of the Revised Code, may require any class of 291
public officials or employees under its jurisdiction and not 292
specifically excluded by this section whose positions involve a 293
substantial and material exercise of administrative discretion in 294
the formulation of public policy, expenditure of public funds, 295
enforcement of laws and rules of the state or a county or city, or 296
the execution of other public trusts, to file an annual statement 297
on or before the fifteenth day of April under division (A) of this 298
section. The appropriate ethics commission shall send the public 299
officials or employees written notice of the requirement by the 300
fifteenth day of February of each year the filing is required 301
unless the public official or employee is appointed after that 302
date, in which case the notice shall be sent within thirty days 303
after appointment, and the filing shall be made not later than 304
ninety days after appointment. 305

Except for disclosure statements filed by members of the 306
board of trustees and the executive director of the tobacco use 307
prevention and control foundation and members of the board of 308

trustees and the executive director of the southern Ohio
agricultural and community development foundation, disclosure
statements filed under this division with the Ohio ethics
commission by members of boards, commissions, or bureaus of the
state for which no compensation is received other than reasonable
and necessary expenses shall be kept confidential. Disclosure
statements filed with the Ohio ethics commission under division
(A) of this section by business managers, treasurers, and
superintendents of city, local, exempted village, joint
vocational, or cooperative education school districts or
educational service centers shall be kept confidential, except
that any person conducting an audit of any such school district or
educational service center pursuant to section 115.56 or Chapter
117. of the Revised Code may examine the disclosure statement of
any business manager, treasurer, or superintendent of that school
district or educational service center. The Ohio ethics commission
shall examine each disclosure statement required to be kept
confidential to determine whether a potential conflict of interest
exists for the person who filed the disclosure statement. A
potential conflict of interest exists if the private interests of
the person, as indicated by the person's disclosure statement,
might interfere with the public interests the person is required
to serve in the exercise of the person's authority and duties in
the person's office or position of employment. If the commission
determines that a potential conflict of interest exists, it shall
notify the person who filed the disclosure statement and shall
make the portions of the disclosure statement that indicate a
potential conflict of interest subject to public inspection in the
same manner as is provided for other disclosure statements. Any
portion of the disclosure statement that the commission determines
does not indicate a potential conflict of interest shall be kept
confidential by the commission and shall not be made subject to
public inspection, except as is necessary for the enforcement of

Chapters 102. and 2921. of the Revised Code and except as	342
otherwise provided in this division.	343
(C) No person shall knowingly fail to file, on or before the	344
applicable filing deadline established under this section, a	345
statement that is required by this section.	346
(D) No person shall knowingly file a false statement that is	347
required to be filed under this section.	348
(E)(1) Except as provided in divisions (E)(2) and (3) of this	349
section, the statement required by division (A) or (B) of this	350
section shall be accompanied by a filing fee of forty dollars.	351
(2) The statement required by division (A) of this section	352
shall be accompanied by the following filing fee to be paid by the	353
person who is elected or appointed to, or is a candidate for, any	354
of the following offices:	355
For state office, except member of the	356
state board of education	\$65 357
For office of member of general assembly	\$40 358
For county office	\$40 359
For city office	\$25 360
For office of member of the state board	361
of education	\$25 362
For office of member of a city, local,	363
exempted village, or cooperative	364
education board of	365
education or educational service	366
center governing board	\$20 367
For position of business manager,	368
treasurer, or superintendent of a	369
city, local, exempted village, joint	370
vocational, or cooperative education	371
school district or	372

educational service center \$20 373

(3) No judge of a court of record or candidate for judge of a 374
court of record, and no referee or magistrate serving a court of 375
record, shall be required to pay the fee required under division 376
(E)(1) or (2) or (F) of this section. 377

(4) For any public official who is appointed to a nonelective 378
office of the state and for any employee who holds a nonelective 379
position in a public agency of the state, the state agency that is 380
the primary employer of the state official or employee shall pay 381
the fee required under division (E)(1) or (F) of this section. 382

(F) If a statement required to be filed under this section is 383
not filed by the date on which it is required to be filed, the 384
appropriate ethics commission shall assess the person required to 385
file the statement a late filing fee of ten dollars for each day 386
the statement is not filed, except that the total amount of the 387
late filing fee shall not exceed two hundred fifty dollars. 388

(G)(1) The appropriate ethics commission other than the Ohio 389
ethics commission shall deposit all fees it receives under 390
divisions (E) and (F) of this section into the general revenue 391
fund of the state. 392

(2) The Ohio ethics commission shall deposit all receipts, 393
including, but not limited to, fees it receives under divisions 394
(E) and (F) of this section and all moneys it receives from 395
settlements under division (G) of section 102.06 of the Revised 396
Code, into the Ohio ethics commission fund, which is hereby 397
created in the state treasury. All moneys credited to the fund 398
shall be used solely for expenses related to the operation and 399
statutory functions of the commission. 400

(H) Division (A) of this section does not apply to a person 401
elected or appointed to the office of precinct, ward, or district 402
committee member under Chapter 3517. of the Revised Code; a 403

presidential elector; a delegate to a national convention; village 404
or township officials and employees; any physician or psychiatrist 405
who is paid a salary or wage in accordance with schedule C of 406
section 124.15 or schedule E-2 of section 124.152 of the Revised 407
Code and whose primary duties do not require the exercise of 408
administrative discretion; or any member of a board, commission, 409
or bureau of any county or city who receives less than one 410
thousand dollars per year for serving in that position. 411

Sec. 109.579. (A) On receipt of a request pursuant to 412
division (B) of section 4123.441 of the Revised Code, a completed 413
form prescribed pursuant to division (C)(1) of this section, and a 414
set of fingerprint impressions obtained in the manner described in 415
division (C)(2) of this section, the superintendent of the bureau 416
of criminal identification and investigation shall conduct a 417
criminal records check in the manner described in division (B) of 418
this section to determine whether any information exists that 419
indicates that the person who is the subject of the request 420
previously has been convicted of or pleaded guilty to any criminal 421
offense involving theft, receiving stolen property, embezzlement, 422
forgery, fraud, passing bad checks, money laundering, drug 423
trafficking, or any criminal offense involving money or 424
securities, as set forth in Chapters 2909., 2911., 2913., 2915., 425
2921., 2923., and 2925. of the Revised Code or other law of this 426
state, or the laws of any other state or of the United States that 427
are substantially equivalent to those offenses. 428

(B) The superintendent shall conduct a criminal records check 429
pursuant to division (A) of this section as follows: 430

(1) The superintendent shall review or cause to be reviewed 431
any relevant information gathered and compiled by the bureau under 432
division (A) of section 109.57 of the Revised Code that relates to 433
the person who is the subject of the request, including any 434

relevant information contained in records that have been sealed
under section 2953.32 of the Revised Code.

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(2) If the request received by the superintendent asks for
information from the federal bureau of investigation, the
superintendent shall request from the federal bureau of
investigation any information it has with respect to the person
who is the subject of the request. The superintendent shall review
or cause to be reviewed any information that the superintendent
receives from the federal bureau of investigation.

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(3) The superintendent shall forward the results of a
criminal records check conducted pursuant to this division to the
administrator of workers' compensation.

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(C)(1) The superintendent shall prescribe a form to obtain
the information necessary to conduct a criminal records check from
any person for whom a criminal records check is requested pursuant
to division (B) of section 4123.441 of the Revised Code. The form
that the superintendent prescribes pursuant to this division may
be in a tangible format, in an electronic format, or in both
tangible and electronic formats.

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(2) The superintendent shall prescribe standard impression
sheets to obtain the fingerprint impressions of any person for
whom a criminal records check is requested pursuant to section
4123.441 of the Revised Code. Any person for whom the
administrator requests the superintendent to conduct a criminal
records check pursuant to that section shall have the person's
fingerprint impressions made at a county sheriff's office, a
municipal police department, or any other entity with the ability
to make fingerprint impressions on the standard impression sheets
prescribed by the superintendent. The office, department, or
entity may charge the person a reasonable fee for making the
impressions. The standard impression sheets the superintendent

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prescribes pursuant to this division may be in a tangible format, 466
in an electronic format, or in both tangible and electronic 467
formats. 468

(3) The superintendent may prescribe methods of forwarding 469
fingerprint impressions and information necessary to conduct a 470
criminal records check. The methods shall include, but are not 471
limited to, electronic methods. 472

(D) A determination whether any information exists that 473
indicates that a person previously has been convicted of or 474
pleaded guilty to any offense listed or described in division (A) 475
of this section that the superintendent makes pursuant to 476
information considered in a criminal records check under this 477
section is valid for the person who is the subject of that 478
criminal records check for a period of one year after the date the 479
superintendent makes that determination. 480

(E) The superintendent shall prescribe and charge a 481
reasonable fee for providing a criminal records check requested 482
under section 4123.441 of the Revised Code. If another request for 483
a criminal records check is made under this section for a person 484
for whom a valid determination under division (D) of this section 485
is available, the superintendent shall provide the determination 486
for a reduced fee. 487

Sec. 171.01. (A) As used in this chapter, "state: 488

(1) "State" retirement systems" means the public employees 489
retirement system, Ohio police and fire pension fund, state 490
teachers retirement system, school employees retirement system, 491
and state highway patrol retirement system. 492

(2) "Bureau of workers' compensation funds" has the same 493
meaning as in section 4123.441 of the Revised Code. 494

(B) There is hereby created the Ohio retirement study 495

council. Members of the council shall be appointed as follows: 496

~~(A)~~(1) Three members of the senate, appointed by the 497
president of the senate, not more than two of whom may be members 498
of the same political party; 499

~~(B)~~(2) Three members of the house of representatives, 500
appointed by the speaker of the house of representatives, not more 501
than two of whom may be members of the same political party; 502

~~(C)~~(3) Three members appointed by the governor, with the 503
advice and consent of the senate, not more than two of whom shall 504
be members of the same political party, one of whom shall 505
represent the state and its employees; one of whom shall represent 506
nonstate governments and their employees; and one of whom shall 507
represent educational employers and their employees. Of these 508
three members, at least one shall be a person with investment 509
expertise. Terms of the existing members appointed by the governor 510
shall not be affected. Terms of office of members appointed by the 511
governor shall be for three years, commencing on the first day of 512
July and ending on the thirtieth day of June. Each member 513
appointed by the governor shall hold office from the date of 514
appointment until the end of the term for which the appointment 515
was made. Any member appointed by the governor to fill a vacancy 516
occurring prior to the expiration of the term for which the 517
member's predecessor was appointed shall hold office for the 518
remainder of such term. Each member appointed by the governor 519
shall continue in office until the member's successor is appointed 520
and qualified, notwithstanding the expiration of the member's term 521
of office. 522

~~(D)~~(4) Five ex officio members as follows: the executive 523
director of the public employees retirement system, the executive 524
director of the state teachers retirement system, the executive 525
director of the school employees retirement system, the executive 526
secretary of the Ohio police and fire pension fund, and the 527

secretary of the state highway patrol retirement board, who shall 528
be nonvoting members. 529

A vacancy on the council shall be filled by the person 530
qualified to make the original appointment for the unexpired term, 531
in the same manner as the original appointment. 532

The members of the council who are appointed from the 533
membership of the senate and the house of representatives shall 534
serve during their terms as members of the general assembly and 535
until their successors are appointed and qualified, 536
notwithstanding the adjournment of the general assembly of which 537
they are members or the expiration of their terms as members of 538
such general assembly. 539

Sec. 171.03. The Ohio retirement study council may: 540

(A) Appoint a director to manage and direct the duties of the 541
staff of the council. The director shall be a person who has had 542
training and experience in areas related to the duties of the 543
council. 544

(B) Appoint such professional, technical, and clerical 545
employees as are necessary, and employ or hire on a consulting 546
basis such actuarial, legal, investment, or other technical 547
services required for the performance of its duties; 548

(C) Fix the compensation of the director and all other 549
employees of the council. The employees of the council shall be 550
members of the public employees retirement system. 551

(D) Require the public employees retirement board, the state 552
teachers retirement board, the school employees retirement board, 553
the state highway patrol retirement system, the Ohio police and 554
fire pension fund, the bureau of workers' compensation, and any 555
agency or official of this state or its political subdivisions to 556
provide it with any information necessary to carry out its duties; 557

(E) Administer oaths and hold public hearings at such times 558
and places within the state as may be necessary to accomplish the 559
purposes and intent of Chapter 171. of the Revised Code; 560

(F) Establish a uniform format for any report that the boards 561
of the state retirement systems are required to submit to the 562
council and regular reporting requirements; 563

(G) Request that the auditor of state perform or contract for 564
the performance of a financial or special audit of a state 565
retirement system or the bureau of workers' compensation; 566

(H) Review all proposed rules submitted to the council 567
pursuant to sections 145.09, 742.10, 3307.04, 3309.04, and 5505.04 568
of the Revised Code, and any rules the administrator of workers' 569
compensation proposes regarding the investment of bureau of 570
workers' compensation funds and submit any recommendations to the 571
joint committee on agency rule review. 572

Sec. 171.041. The Ohio retirement study council shall: 573

(A) Make an impartial review from time to time of all laws 574
governing the investment of the bureau of workers' compensation 575
funds under Chapters 4121., 4123., 4127., and 4131. of the Revised 576
Code, and recommend to the general assembly any changes it may 577
find desirable with respect to the prudent investment of the 578
funds; 579

(B) Make an annual report to the governor and to the general 580
assembly covering its evaluations and recommendations with respect 581
to the investment of bureau of workers' compensation funds; 582

(C) Study all changes proposed to the workers' compensation 583
laws regarding the investment of bureau of workers' compensation 584
funds proposed to the general assembly and report to the general 585
assembly on their probable costs, actuarial implications, and 586
desirability as a matter of public policy; 587

(D) Review semiannually the investments of bureau of workers' compensation funds to determine compliance with the investment requirements specified in section 4123.44 of the Revised Code. 588
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(E) Have prepared by an independent actuary, at least once every ten years, an actuarial review of the actuarial reports and audits conducted pursuant to section 4121.125 of the Revised Code, including a review of the actuarial assumptions and methods, the data underlying the valuations and investigations, and the adequacy of the investments of bureau of workers' compensation funds to support the payment of benefits authorized by Chapter 4121., 4123., 4127., or 4131. of the Revised Code. The council shall submit to the governor and the general assembly a report summarizing the review. 591
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(F) Have conducted by an independent auditor at least once every ten years a fiduciary performance audit of bureau of workers' compensation funds. All costs associated with that audit shall be paid by the bureau of workers' compensation. 601
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(G) Provide each member of the council with copies of all proposed rules submitted to the council regarding the investment of bureau of workers' compensation funds and submit any recommendations to the joint committee on agency rule review. 605
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(H) Approve contracts that the administrator of workers' compensation wishes to enter into with an investment manager for the investment of bureau of workers' compensation funds. The council shall approve a contract only if all of the following conditions are met: 609
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(1) No employee with authority over all investments of the investment manager and no employee of the investment manager who will be investing bureau of workers' compensation funds has been convicted of or pleaded guilty to a financial or investment crime. 614
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(2) The investment manager is in compliance with sections 618

3517.093 and 3517.13 of the Revised Code.

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(3) The investment manager or business entity has the ability to invest bureau of workers' compensation funds in the type of investments permitted under section 4123.44 of the Revised Code.

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(I) Approve contracts that an investment manager wishes to enter into with a business entity for the investment of bureau of workers' compensation funds. The council shall approve a contract only if all of the following conditions are met:

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(1) No employee with authority over all investments of the business entity and no employee of the business entity who will be investing bureau of workers' compensation funds has been convicted of or pleaded guilty to a financial or investment crime.

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(2) The business entity is in compliance with sections 3517.093 and 3517.13 of the Revised Code.

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(3) The business entity has the ability to invest bureau of workers' compensation funds in the types of investments permitted under section 4123.44 of the Revised Code.

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(J) Adopt rules to oversee investments of bureau of workers' compensation funds left with business entities under section 4123.442 of the Revised Code and oversee those investments.

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(K) As used in this section, "investment manager," "business entity," and "financial or investment crime" have the same meanings as in section 4123.441 of the Revised Code.

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Sec. 171.05. The compensation of all employees of the Ohio retirement study council and other expenses of the council shall be paid upon vouchers approved by the director and the chairperson of the council.

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The public employees retirement system, state teachers retirement system, school employees retirement system, state

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highway patrol retirement system, ~~and~~ Ohio police and fire pension
fund, and the bureau of workers' compensation shall pay the annual
expenses of the council. The council shall prepare and submit to
the retirement boards and the bureau on or before the thirtieth
day of June of each year an itemized estimate of the amounts
necessary to pay the expenses of the council during the following
year. Such expenses shall be charged to and paid by each of the
retirement systems and the bureau in the same ratio as the assets
of each system and the bureau, as of the preceding January first,
bear to the total assets of all five systems and the bureau on
that date.

The council shall establish policies and procedures for
purchasing goods and services on a competitive basis and
maintaining tangible personal property. The policies and
procedures shall be designed to safeguard the use of funds
received by the council. An audit performed under Chapter 117. of
the Revised Code shall include a determination of the council's
compliance with the policies and procedures.

The council is not subject to Chapters 123., 124., 125.,
126., and 127. of the Revised Code.

The treasurer of state shall be the custodian of all funds of
the council.

Sec. 3517.093. (A) No investment manager or business entity
shall make a contribution to a state elected officer or an
individual who is a candidate for a state elective office, to the
campaign committee of the officer or the individual, or to any
state political party state candidate fund or county political
party state candidate fund on behalf of, or for the benefit of,
the officer or individual.

(B) No state elected officer and no individual who is a

candidate for a state elective office shall accept a contribution 678
from an investment manager or business entity. 679

(C) As used in this section, "state elected officer" and 680
"state elective office" have the same meanings as in section 681
3517.092 of the Revised Code, and "business entity" and 682
"investment manager" have the same meanings as in section 4123.441 683
of the Revised Code. 684

Sec. 3517.13. (A)(1) No campaign committee of a statewide 685
candidate shall fail to file a complete and accurate statement 686
required under division (A)(1) of section 3517.10 of the Revised 687
Code. 688

(2) No campaign committee of a statewide candidate shall fail 689
to file a complete and accurate monthly statement, and no campaign 690
committee of a statewide candidate or a candidate for the office 691
of chief justice or justice of the supreme court shall fail to 692
file a complete and accurate two-business-day statement, as 693
required under section 3517.10 of the Revised Code. 694

As used in this division, "statewide candidate" has the same 695
meaning as in division (F)(2) of section 3517.10 of the Revised 696
Code. 697

(B) No campaign committee shall fail to file a complete and 698
accurate statement required under division (A)(1) of section 699
3517.10 of the Revised Code. 700

(C) No campaign committee shall fail to file a complete and 701
accurate statement required under division (A)(2) of section 702
3517.10 of the Revised Code. 703

(D) No campaign committee shall fail to file a complete and 704
accurate statement required under division (A)(3) or (4) of 705
section 3517.10 of the Revised Code. 706

(E) No person other than a campaign committee shall knowingly 707

fail to file a statement required under section 3517.10 or 708
3517.107 of the Revised Code. 709

(F) No person shall make cash contributions to any person 710
totaling more than one hundred dollars in each primary, special, 711
or general election. 712

(G)(1) No person shall knowingly conceal or misrepresent 713
contributions given or received, expenditures made, or any other 714
information required to be reported by a provision in sections 715
3517.08 to 3517.13 and 3517.17 of the Revised Code. 716

(2)(a) No person shall make a contribution to a campaign 717
committee, political action committee, legislative campaign fund, 718
political party, or person making disbursements to pay the direct 719
costs of producing or airing electioneering communications in the 720
name of another person. 721

(b) A person does not make a contribution in the name of 722
another when either of the following applies: 723

(i) An individual makes a contribution from a partnership or 724
other unincorporated business account, if the contribution is 725
reported by listing both the name of the partnership or other 726
unincorporated business and the name of the partner or owner 727
making the contribution as required under division (I) of section 728
3517.10 of the Revised Code. 729

(ii) A person makes a contribution in that person's spouse's 730
name or in both of their names. 731

(H) No person within this state, publishing a newspaper or 732
other periodical, shall charge a campaign committee for political 733
advertising a rate in excess of the rate such person would charge 734
if the campaign committee were a general rate advertiser whose 735
advertising was directed to promoting its business within the same 736
area as that encompassed by the particular office that the 737

candidate of the campaign committee is seeking. The rate shall 738
take into account the amount of space used, as well as the type of 739
advertising copy submitted by or on behalf of the campaign 740
committee. All discount privileges otherwise offered by a 741
newspaper or periodical to general rate advertisers shall be 742
available upon equal terms to all campaign committees. 743

No person within this state, operating a radio or television 744
station or network of stations in this state, shall charge a 745
campaign committee for political broadcasts a rate that exceeds: 746

(1) During the forty-five days preceding the date of a 747
primary election and during the sixty days preceding the date of a 748
general or special election in which the candidate of the campaign 749
committee is seeking office, the lowest unit charge of the station 750
for the same class and amount of time for the same period; 751

(2) At any other time, the charges made for comparable use of 752
that station by its other users. 753

(I) Subject to divisions (K), (L), (M), and (N) of this 754
section, no agency or department of this state or any political 755
subdivision shall award any contract, other than one let by 756
competitive bidding or a contract incidental to such contract or 757
which is by force account, for the purchase of goods costing more 758
than five hundred dollars or services costing more than five 759
hundred dollars to any individual, partnership, association, 760
including, without limitation, a professional association 761
organized under Chapter 1785. of the Revised Code, estate, or 762
trust if the individual has made or the individual's spouse has 763
made, or any partner, shareholder, administrator, executor, or 764
trustee or the spouse of any of them has made, as an individual, 765
within the two previous calendar years, one or more contributions 766
totaling in excess of one thousand dollars to the holder of the 767
public office having ultimate responsibility for the award of the 768

contract or to the public officer's campaign committee. 769

(J) Subject to divisions (K), (L), (M), and (N) of this 770
section, no agency or department of this state or any political 771
subdivision shall award any contract, other than one let by 772
competitive bidding or a contract incidental to such contract or 773
which is by force account, for the purchase of goods costing more 774
than five hundred dollars or services costing more than five 775
hundred dollars to a corporation or business trust, except a 776
professional association organized under Chapter 1785. of the 777
Revised Code, if an owner of more than twenty per cent of the 778
corporation or business trust or the spouse of that person has 779
made, as an individual, within the two previous calendar years, 780
taking into consideration only owners for all of that period, one 781
or more contributions totaling in excess of one thousand dollars 782
to the holder of a public office having ultimate responsibility 783
for the award of the contract or to the public officer's campaign 784
committee. 785

(K) For purposes of divisions (I) and (J) of this section, if 786
a public officer who is responsible for the award of a contract is 787
appointed by the governor, whether or not the appointment is 788
subject to the advice and consent of the senate, excluding members 789
of boards, commissions, committees, authorities, councils, boards 790
of trustees, task forces, and other such entities appointed by the 791
governor, the office of the governor is considered to have 792
ultimate responsibility for the award of the contract. 793

(L) For purposes of divisions (I) and (J) of this section, if 794
a public officer who is responsible for the award of a contract is 795
appointed by the elected chief executive officer of a municipal 796
corporation, or appointed by the elected chief executive officer 797
of a county operating under an alternative form of county 798
government or county charter, excluding members of boards, 799
commissions, committees, authorities, councils, boards of 800

trustees, task forces, and other such entities appointed by the
chief executive officer, the office of the chief executive officer
is considered to have ultimate responsibility for the award of the
contract.

(M)(1) Divisions (I) and (J) of this section do not apply to
contracts awarded by the board of commissioners of the sinking
fund, municipal legislative authorities, boards of education,
boards of county commissioners, boards of township trustees, or
other boards, commissions, committees, authorities, councils,
boards of trustees, task forces, and other such entities created
by law, by the supreme court or courts of appeals, by county
courts consisting of more than one judge, courts of common pleas
consisting of more than one judge, or municipal courts consisting
of more than one judge, or by a division of any court if the
division consists of more than one judge. This division shall
apply to the specified entity only if the members of the entity
act collectively in the award of a contract for goods or services.

(2) Divisions (I) and (J) of this section do not apply to
actions of the controlling board.

(N)(1) Divisions (I) and (J) of this section apply to
contributions made to the holder of a public office having
ultimate responsibility for the award of a contract, or to the
public officer's campaign committee, during the time the person
holds the office and during any time such person was a candidate
for the office. Those divisions do not apply to contributions made
to, or to the campaign committee of, a candidate for or holder of
the office other than the holder of the office at the time of the
award of the contract.

(2) Divisions (I) and (J) of this section do not apply to
contributions of a partner, shareholder, administrator, executor,
trustee, or owner of more than twenty per cent of a corporation or

business trust made before the person held any of those positions 832
or after the person ceased to hold any of those positions in the 833
partnership, association, estate, trust, corporation, or business 834
trust whose eligibility to be awarded a contract is being 835
determined, nor to contributions of the person's spouse made 836
before the person held any of those positions, after the person 837
ceased to hold any of those positions, before the two were 838
married, after the granting of a decree of divorce, dissolution of 839
marriage, or annulment, or after the granting of an order in an 840
action brought solely for legal separation. Those divisions do not 841
apply to contributions of the spouse of an individual whose 842
eligibility to be awarded a contract is being determined made 843
before the two were married, after the granting of a decree of 844
divorce, dissolution of marriage, or annulment, or after the 845
granting of an order in an action brought solely for legal 846
separation. 847

(O) No beneficiary of a campaign fund or other person shall 848
convert for personal use, and no person shall knowingly give to a 849
beneficiary of a campaign fund or any other person, for the 850
beneficiary's or any other person's personal use, anything of 851
value from the beneficiary's campaign fund, including, without 852
limitation, payments to a beneficiary for services the beneficiary 853
personally performs, except as reimbursement for any of the 854
following: 855

(1) Legitimate and verifiable prior campaign expenses 856
incurred by the beneficiary; 857

(2) Legitimate and verifiable ordinary and necessary prior 858
expenses incurred by the beneficiary in connection with duties as 859
the holder of a public office, including, without limitation, 860
expenses incurred through participation in nonpartisan or 861
bipartisan events if the participation of the holder of a public 862
office would normally be expected; 863

(3) Legitimate and verifiable ordinary and necessary prior 864
expenses incurred by the beneficiary while doing any of the 865
following: 866

(a) Engaging in activities in support of or opposition to a 867
candidate other than the beneficiary, political party, or ballot 868
issue; 869

(b) Raising funds for a political party, political action 870
committee, legislative campaign fund, campaign committee, or other 871
candidate; 872

(c) Participating in the activities of a political party, 873
political action committee, legislative campaign fund, or campaign 874
committee; 875

(d) Attending a political party convention or other political 876
meeting. 877

For purposes of this division, an expense is incurred 878
whenever a beneficiary has either made payment or is obligated to 879
make payment, as by the use of a credit card or other credit 880
procedure or by the use of goods or services received on account. 881

(P) No beneficiary of a campaign fund shall knowingly accept, 882
and no person shall knowingly give to the beneficiary of a 883
campaign fund, reimbursement for an expense under division (O) of 884
this section to the extent that the expense previously was 885
reimbursed or paid from another source of funds. If an expense is 886
reimbursed under division (O) of this section and is later paid or 887
reimbursed, wholly or in part, from another source of funds, the 888
beneficiary shall repay the reimbursement received under division 889
(O) of this section to the extent of the payment made or 890
reimbursement received from the other source. 891

(Q) No candidate or public official or employee shall accept 892
for personal or business use anything of value from a political 893

party, political action committee, legislative campaign fund, or 894
campaign committee other than the candidate's or public official's 895
or employee's own campaign committee, and no person shall 896
knowingly give to a candidate or public official or employee 897
anything of value from a political party, political action 898
committee, legislative campaign fund, or such a campaign 899
committee, except for the following: 900

(1) Reimbursement for legitimate and verifiable ordinary and 901
necessary prior expenses not otherwise prohibited by law incurred 902
by the candidate or public official or employee while engaged in 903
any legitimate activity of the political party, political action 904
committee, legislative campaign fund, or such campaign committee. 905
Without limitation, reimbursable expenses under this division 906
include those incurred while doing any of the following: 907

(a) Engaging in activities in support of or opposition to 908
another candidate, political party, or ballot issue; 909

(b) Raising funds for a political party, legislative campaign 910
fund, campaign committee, or another candidate; 911

(c) Attending a political party convention or other political 912
meeting. 913

(2) Compensation not otherwise prohibited by law for actual 914
and valuable personal services rendered under a written contract 915
to the political party, political action committee, legislative 916
campaign fund, or such campaign committee for any legitimate 917
activity of the political party, political action committee, 918
legislative campaign fund, or such campaign committee. 919

Reimbursable expenses under this division do not include, and 920
it is a violation of this division for a candidate or public 921
official or employee to accept, or for any person to knowingly 922
give to a candidate or public official or employee from a 923
political party, political action committee, legislative campaign 924

fund, or campaign committee other than the candidate's or public 925
official's or employee's own campaign committee, anything of value 926
for activities primarily related to the candidate's or public 927
official's or employee's own campaign for election, except for 928
contributions to the candidate's or public official's or 929
employee's campaign committee. 930

For purposes of this division, an expense is incurred 931
whenever a candidate or public official or employee has either 932
made payment or is obligated to make payment, as by the use of a 933
credit card or other credit procedure, or by the use of goods or 934
services on account. 935

(R)(1) Division (O) or (P) of this section does not prohibit 936
a campaign committee from making direct advance or post payment 937
from contributions to vendors for goods and services for which 938
reimbursement is permitted under division (O) of this section, 939
except that no campaign committee shall pay its candidate or other 940
beneficiary for services personally performed by the candidate or 941
other beneficiary. 942

(2) If any expense that may be reimbursed under division (O), 943
(P), or (Q) of this section is part of other expenses that may not 944
be paid or reimbursed, the separation of the two types of expenses 945
for the purpose of allocating for payment or reimbursement those 946
expenses that may be paid or reimbursed may be by any reasonable 947
accounting method, considering all of the surrounding 948
circumstances. 949

(3) For purposes of divisions (O), (P), and (Q) of this 950
section, mileage allowance at a rate not greater than that allowed 951
by the internal revenue service at the time the travel occurs may 952
be paid instead of reimbursement for actual travel expenses 953
allowable. 954

(S)(1) As used in division (S) of this section: 955

(a) "State elective office" has the same meaning as in 956
section 3517.092 of the Revised Code. 957

(b) "Federal office" means a federal office as defined in the 958
Federal Election Campaign Act. 959

(c) "Federal campaign committee" means a principal campaign 960
committee or authorized committee as defined in the Federal 961
Election Campaign Act. 962

(2) No person who is a candidate for state elective office 963
and who previously sought nomination or election to a federal 964
office shall transfer any funds or assets from that person's 965
federal campaign committee for nomination or election to the 966
federal office to that person's campaign committee as a candidate 967
for state elective office. 968

(3) No campaign committee of a person who is a candidate for 969
state elective office and who previously sought nomination or 970
election to a federal office shall accept any funds or assets from 971
that person's federal campaign committee for that person's 972
nomination or election to the federal office. 973

(T)(1) Except as otherwise provided in division (B)(6)(c) of 974
section 3517.102 of the Revised Code, a state or county political 975
party shall not disburse moneys from any account other than a 976
state candidate fund to make contributions to any of the 977
following: 978

(a) A state candidate fund; 979

(b) A legislative campaign fund; 980

(c) A campaign committee of a candidate for the office of 981
governor, lieutenant governor, secretary of state, auditor of 982
state, treasurer of state, attorney general, member of the state 983
board of education, or member of the general assembly. 984

(2) No state candidate fund, legislative campaign fund, or 985

campaign committee of a candidate for any office described in 986
division (T)(1)(c) of this section shall knowingly accept a 987
contribution in violation of division (T)(1) of this section. 988

(U) No person shall fail to file the statement required under 989
section 3517.12 of the Revised Code. 990

(V) No campaign committee shall fail to file a statement 991
required under division (K)(3) of section 3517.10 of the Revised 992
Code. 993

(W)(1) No foreign national shall, directly or indirectly 994
through any other person or entity, make a contribution, 995
expenditure, or independent expenditure or promise, either 996
expressly or implicitly, to make a contribution, expenditure, or 997
independent expenditure in support of or opposition to a candidate 998
for any elective office in this state, including an office of a 999
political party. 1000

(2) No candidate, campaign committee, political action 1001
committee, legislative campaign fund, state candidate fund, 1002
political party, or separate segregated fund shall solicit or 1003
accept a contribution, expenditure, or independent expenditure 1004
from a foreign national. The secretary of state may direct any 1005
candidate, committee, fund, or party that accepts a contribution, 1006
expenditure, or independent expenditure in violation of this 1007
division to return the contribution, expenditure, or independent 1008
expenditure or, if it is not possible to return the contribution, 1009
expenditure, or independent expenditure, then to return instead 1010
the value of it, to the contributor. 1011

(3) As used in division (W) of this section, "foreign 1012
national" has the same meaning as in section 441e(b) of the 1013
Federal Election Campaign Act. 1014

(X)(1) No state or county political party shall transfer any 1015
moneys from its restricted fund to any account of the political 1016

party into which contributions may be made or from which 1017
contributions or expenditures may be made. 1018

(2)(a) No state or county political party shall deposit a 1019
contribution or contributions that it receives into its restricted 1020
fund. 1021

(b) No state or county political party shall make a 1022
contribution or an expenditure from its restricted fund. 1023

(3)(a) No corporation or labor organization shall make a gift 1024
or gifts from the corporation's or labor organization's money or 1025
property aggregating more than ten thousand dollars to any one 1026
state or county political party for the party's restricted fund in 1027
a calendar year. 1028

(b) No state or county political party shall accept a gift or 1029
gifts for the party's restricted fund aggregating more than ten 1030
thousand dollars from any one corporation or labor organization in 1031
a calendar year. 1032

(4) No state or county political party shall transfer any 1033
moneys in the party's restricted fund to any other state or county 1034
political party. 1035

(5) No state or county political party shall knowingly fail 1036
to file a statement required under section 3517.1012 of the 1037
Revised Code. 1038

(Y) The administrator of workers' compensation shall not 1039
award any contract to an investment manager or business entity 1040
who, within twenty-four months immediately preceding the awarding 1041
of the contract, made one or more contributions to the campaign 1042
committee of a state elected officer or to the campaign committee 1043
of any candidate for any state elective office. 1044

As used in this division, "investment manager" and "business 1045
entity" have the same meanings as in section 4123.441 of the 1046

Revised Code, and "state elective office" and "state elected officer" have the same meanings as in section 3517.092 of the Revised Code. 1047
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Sec. 3517.151. (A) On and after January 1, 1996, complaints 1050
with respect to acts or failures to act under the sections listed 1051
in division (A) of section 3517.153 of the Revised Code shall be 1052
filed with the Ohio elections commission created under section 1053
3517.152 of the Revised Code. 1054

(B)(1) If a complaint filed with the Ohio elections 1055
commission created under section 3517.152 of the Revised Code 1056
alleges an act or failure to act that occurred before August 24, 1057
1995, and the commission imposes a fine, sections 3517.99 and 1058
3517.991 of the Revised Code, and not sections 3517.992 and 1059
3517.993 of the Revised Code, shall apply. 1060

(2) If a complaint filed with the Ohio elections commission 1061
created under section 3517.152 of the Revised Code alleges an act 1062
or failure to act that is a violation of section 3517.13 of the 1063
Revised Code, former divisions (A) to (R) of that section apply to 1064
the act or failure to act if it occurred before August 24, 1995, 1065
former divisions (A) to (U) of that section apply to the act or 1066
failure to act if it occurs on or after August 24, 1995, but 1067
before July 13, 1998, former divisions (A) to (V) of that section 1068
apply to the act or failure to act if it occurs on or after July 1069
13, 1998, but before December 22, 1999, former divisions (A) to 1070
(W) of that section apply to the act or failure to act if it 1071
occurs on or after December 22, 1999, but before the ~~effective~~ 1072
~~date of this amendment~~ March 31, 2005, and ~~former~~ divisions (A) to 1073
(X) of that section apply to the act or failure to act if it 1074
occurs on or after ~~the effective date of this amendment~~ March 31, 1075
2005, and divisions (A) to (Y) of that section apply to the act or 1076
failure to act if it occurs on or after the effective date of this 1077

<u>amendment.</u>	1078
(C) The Ohio elections commission created under section 3517.14 of the Revised Code is abolished at the close of business on December 31, 1995.	1079 1080 1081
Sec. 3517.992. This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.	1082 1083 1084
(A)(1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than one hundred dollars for each day of violation.	1085 1086 1087 1088 1089
(2) Whoever violates division (E) or (X)(5) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	1090 1091 1092
(B) A political party that violates division (F)(1) of section 3517.101 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	1093 1094 1095
(C) Whoever violates division (F)(2) of section 3517.101 or division (G) of section 3517.13 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person who was nominated or elected to public office, shall forfeit the nomination or the office to which the offender was elected, or both.	1096 1097 1098 1099 1100 1101
(D) Whoever violates division (F) of section 3517.13 of the Revised Code shall be fined not more than three times the amount contributed.	1102 1103 1104
(E) Whoever violates division (H) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars.	1105 1106
(F) Whoever violates division (O), (P), or (Q) of section	1107

3517.13 of the Revised Code is guilty of a misdemeanor of the first degree. 1108
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(G) A state or county committee of a political party that violates division (B)(1) of section 3517.18 of the Revised Code shall be fined not more than twice the amount of the improper expenditure. 1110
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(H) A state or county political party that violates division (G) of section 3517.101 of the Revised Code shall be fined not more than twice the amount of the improper expenditure or use. 1114
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(I)(1) Any individual who violates division (B)(1) of section 3517.102 of the Revised Code and knows that the contribution the individual makes violates that division shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division. 1117
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(2) Any political action committee that violates division (B)(2) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division. 1122
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(3) Any campaign committee that violates division (B)(3) or (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division. 1126
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(4)(a) Any legislative campaign fund that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable. 1130
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(b) Any state political party, county political party, or state candidate fund of a state political party or county political party that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times 1134
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the amount transferred or contributed in excess of the amount 1138
permitted by that division, as applicable. 1139

(5) Any political party that violates division (B)(4) of 1140
section 3517.102 of the Revised Code shall be fined an amount 1141
equal to three times the amount contributed in excess of the 1142
amount permitted by that division. 1143

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 1144
of this section, no violation of division (B) of section 3517.102 1145
of the Revised Code occurs, and the secretary of state shall not 1146
refer parties to the Ohio elections commission, if the amount 1147
transferred or contributed in excess of the amount permitted by 1148
that division meets either of the following conditions: 1149

(a) It is completely refunded within five business days after 1150
it is accepted. 1151

(b) It is completely refunded on or before the tenth business 1152
day after notification to the recipient of the excess transfer or 1153
contribution by the board of elections or the secretary of state 1154
that a transfer or contribution in excess of the permitted amount 1155
has been received. 1156

(J)(1) Any campaign committee that violates division (C)(1), 1157
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 1158
fined an amount equal to three times the amount accepted in excess 1159
of the amount permitted by that division. 1160

(2)(a) Any county political party that violates division 1161
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 1162
shall be fined an amount equal to three times the amount accepted. 1163

(b) Any county political party that violates division 1164
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 1165
fined an amount from its state candidate fund equal to three times 1166
the amount accepted in excess of the amount permitted by that 1167

division. 1168

(c) Any state political party that violates division 1169
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 1170
an amount from its state candidate fund equal to three times the 1171
amount accepted in excess of the amount permitted by that 1172
division. 1173

(3) Any legislative campaign fund that violates division 1174
(C)(5) of section 3517.102 of the Revised Code shall be fined an 1175
amount equal to three times the amount accepted in excess of the 1176
amount permitted by that division. 1177

(4) Any political action committee that violates division 1178
(C)(7) of section 3517.102 of the Revised Code shall be fined an 1179
amount equal to three times the amount accepted in excess of the 1180
amount permitted by that division. 1181

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 1182
this section, no violation of division (C) of section 3517.102 of 1183
the Revised Code occurs, and the secretary of state shall not 1184
refer parties to the Ohio elections commission, if the amount 1185
transferred or contributed in excess of the amount permitted to be 1186
accepted by that division meets either of the following 1187
conditions: 1188

(a) It is completely refunded within five business days after 1189
its acceptance. 1190

(b) It is completely refunded on or before the tenth business 1191
day after notification to the recipient of the excess transfer or 1192
contribution by the board of elections or the secretary of state 1193
that a transfer or contribution in excess of the permitted amount 1194
has been received. 1195

(K)(1) Any legislative campaign fund that violates division 1196
(F)(1) of section 3517.102 of the Revised Code shall be fined 1197

twenty-five dollars for each day of violation. 1198

(2) Any legislative campaign fund that violates division 1199
(F)(2) of section 3517.102 of the Revised Code shall give to the 1200
treasurer of state for deposit into the state treasury to the 1201
credit of the Ohio elections commission fund all excess 1202
contributions not disposed of as required by division (E) of 1203
section 3517.102 of the Revised Code. 1204

(L) Whoever violates section 3517.105 of the Revised Code 1205
shall be fined one thousand dollars. 1206

(M)(1) Whoever solicits a contribution in violation of 1207
section 3517.092 or violates division (B) of section 3517.09 of 1208
the Revised Code is guilty of a misdemeanor of the first degree. 1209

(2) Whoever knowingly accepts a contribution in violation of 1210
division (B) or (C) of section 3517.092 of the Revised Code shall 1211
be fined an amount equal to three times the amount accepted in 1212
violation of either of those divisions and shall return to the 1213
contributor any amount so accepted. Whoever unknowingly accepts a 1214
contribution in violation of division (B) or (C) of section 1215
3517.092 of the Revised Code shall return to the contributor any 1216
amount so accepted. 1217

(N) Whoever violates division (S) of section 3517.13 of the 1218
Revised Code shall be fined an amount equal to three times the 1219
amount of funds transferred or three times the value of the assets 1220
transferred in violation of that division. 1221

(O) Any campaign committee that accepts a contribution or 1222
contributions in violation of section 3517.108 of the Revised 1223
Code, uses a contribution in violation of that section, or fails 1224
to dispose of excess contributions in violation of that section 1225
shall be fined an amount equal to three times the amount accepted, 1226
used, or kept in violation of that section. 1227

(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.

(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.

(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall be rescinded if its terms have not yet been performed.

(S) A candidate whose campaign committee violates or a treasurer of a campaign committee who violates section 3517.081 of the Revised Code, and a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.10 of the Revised Code, shall be fined not more than five hundred dollars.

(T) A candidate whose campaign committee violates or a treasurer of a committee who violates division (B) of section 3517.09 of the Revised Code, or a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.09 of the Revised Code shall be fined not more than one thousand dollars.

(U) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.

(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.

(W) A campaign committee that is required to file a 1259
declaration of no limits under division (D)(2) of section 3517.103 1260
of the Revised Code that, before filing that declaration, accepts 1261
a contribution or contributions that exceed the limitations 1262
prescribed in section 3517.102 of the Revised Code, shall return 1263
that contribution or those contributions to the contributor. 1264

(X) Any campaign committee that fails to file the declaration 1265
of filing-day finances required by division (F) of section 1266
3517.109 or the declaration of primary-day finances or declaration 1267
of year-end finances required by division (E) of section 3517.1010 1268
of the Revised Code shall be fined twenty-five dollars for each 1269
day of violation. 1270

(Y) Any campaign committee that fails to dispose of excess 1271
funds or excess aggregate contributions under division (B) of 1272
section 3517.109 of the Revised Code in the manner required by 1273
division (C) of that section or under division (B) of section 1274
3517.1010 of the Revised Code in the manner required by division 1275
(C) of that section shall give to the treasurer of state for 1276
deposit into the Ohio elections commission fund created under 1277
division (I) of section 3517.152 of the Revised Code all funds not 1278
disposed of pursuant to those divisions. 1279

(Z) Any individual, campaign committee, political action 1280
committee, legislative campaign fund, political party, or other 1281
entity that violates any provision of sections 3517.09 to 3517.12 1282
of the Revised Code for which no penalty is provided for under any 1283
other division of this section shall be fined not more than one 1284
thousand dollars. 1285

(AA)(1) Whoever knowingly violates division (W)(1) of section 1286
3517.13 of the Revised Code shall be fined an amount equal to 1287
three times the amount contributed, expended, or promised in 1288
violation of that division or ten thousand dollars, whichever 1289

amount is greater. 1290

(2) Whoever knowingly violates division (W)(2) of section 1291
3517.13 of the Revised Code shall be fined an amount equal to 1292
three times the amount solicited or accepted in violation of that 1293
division or ten thousand dollars, whichever amount is greater. 1294

(BB) Whoever knowingly violates division (C) or (D) of 1295
section 3517.1011 of the Revised Code shall be fined not more than 1296
ten thousand dollars plus not more than one thousand dollars for 1297
each day of violation. 1298

(CC)(1) Subject to division (CC)(2) of this section, whoever 1299
violates division (H) of section 3517.1011 of the Revised Code 1300
shall be fined an amount up to three times the amount disbursed 1301
for the direct costs of airing the communication made in violation 1302
of that division. 1303

(2) Whoever has been ordered by the Ohio elections commission 1304
or by a court of competent jurisdiction to cease making 1305
communications in violation of division (H) of section 3517.1011 1306
of the Revised Code who again violates that division shall be 1307
fined an amount equal to three times the amount disbursed for the 1308
direct costs of airing the communication made in violation of that 1309
division. 1310

(DD)(1) Any corporation or labor organization that violates 1311
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 1312
fined an amount equal to three times the amount given in excess of 1313
the amount permitted by that division. 1314

(2) Any state or county political party that violates 1315
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 1316
fined an amount equal to three times the amount accepted in excess 1317
of the amount permitted by that division. 1318

(EE) Whoever violates division (A) of section 3517.093 of the 1319

Revised Code is guilty of a felony in the fifth degree.

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Sec. 4121.12. (A) There is hereby created the workers' compensation oversight commission consisting of nine members, of which members the governor shall appoint five with the advice and consent of the senate. Of the five members the governor appoints, two shall be individuals who, on account of their previous vocation, employment, or affiliations, can be classed as representative of employees, at least one of whom is representative of employees who are members of an employee organization; two shall be individuals who, on account of their previous vocation, employment, or affiliations, can be classed as representative of employers, one of whom represents self-insuring employers and one of whom has experience as an employer in compliance with section 4123.35 of the Revised Code other than a self-insuring employer, and one of those two representatives also shall represent employers whose employees are not members of an employee organization; and one shall represent the public and also be an individual who, on account of the individual's previous vocation, employment, or affiliations, cannot be classed as either predominantly representative of employees or of employers. The governor shall select the chairperson of the commission who shall serve as chairperson at the pleasure of the governor. No more than three members appointed by the governor shall belong to or be affiliated with the same political party.

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Each of these five members shall have at least three years' experience in the field of insurance, finance, workers' compensation, law, accounting, actuarial, personnel, investments, or data processing, or in the management of an organization whose size is commensurate with that of the bureau of workers' compensation. At least one of these five members shall be an attorney licensed under Chapter 4705. of the Revised Code to

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practice law in this state.

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(B) Of the initial appointments made to the commission, the governor shall appoint one member who represents employees to a term ending one year after September 1, 1995, one member who represents employers to a term ending two years after September 1, 1995, the member who represents the public to a term ending three years after September 1, 1995, one member who represents employees to a term ending four years after September 1, 1995, and one member who represents employers to a term ending five years after September 1, 1995. Thereafter, terms of office shall be for five years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed.

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The governor shall not appoint any person to more than two full terms of office on the commission. This restriction does not prevent the governor from appointing a person to fill a vacancy caused by the death, resignation, or removal of a commission member and also appointing that person twice to full terms on the commission, or from appointing a person previously appointed to fill less than a full term twice to full terms on the commission. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which the member's predecessor was appointed shall hold office as a member for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member's term until a successor takes office or until a period of sixty days has elapsed, whichever occurs first.

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(C) In making appointments to the commission, the governor shall select the members from the list of names submitted by the workers' compensation oversight commission nominating committee pursuant to this division. Within fourteen days after the governor

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calls the initial meeting of the nominating committee pursuant to 1383
division (C) of section 4121.123 of the Revised Code, the 1384
nominating committee shall submit to the governor, for the initial 1385
appointments, a list containing four separate names for each of 1386
the members on the commission. Within fourteen days after the 1387
submission of the list, the governor shall appoint individuals 1388
from the list. 1389

For the appointment of the member who is representative of 1390
employees who are members of an employee organization, both for 1391
initial appointments and for the filling of vacancies, the list of 1392
four names submitted by the nominating committee shall be 1393
comprised of four individuals who are members of the executive 1394
committee of the largest statewide labor federation. 1395

Thereafter, within sixty days after a vacancy occurring as a 1396
result of the expiration of a term and within thirty days after 1397
other vacancies occurring on the commission, the nominating 1398
committee shall submit a list containing four names for each 1399
vacancy. Within fourteen days after the submission of the list, 1400
the governor shall appoint individuals from the list. With respect 1401
to the filling of vacancies, the nominating committee shall 1402
provide the governor with a list of four individuals who are, in 1403
the judgment of the nominating committee, the most fully qualified 1404
to accede to membership on the commission. The nominating 1405
committee shall not include the name of an individual upon the 1406
list for the filling of vacancies if the appointment of that 1407
individual by the governor would result in more than three members 1408
of the commission belonging to or being affiliated with the same 1409
political party. The committee shall include on the list for the 1410
filling of vacancies only the names of attorneys admitted to 1411
practice law in this state if, to fulfill the requirement of 1412
division (A) of section 4121.12 of the Revised Code, the vacancy 1413
must be filled by an attorney. 1414

In order for the name of an individual to be submitted to the governor under this division, the nominating committee shall approve the individual by an affirmative vote of a majority of its members.

(D) The remaining four members of the commission shall be the chairperson and ranking minority member of the standing committees of the house of representatives and of the senate to which legislation concerning this chapter and Chapters 4123., 4127., and 4131. of the Revised Code normally are referred, or a designee of the chairperson or ranking minority member, provided that the designee is a member of the standing committee. Legislative members shall serve during the session of the general assembly to which they are elected and for as long as they are members of the general assembly. Legislative members shall serve in an advisory capacity to the commission and shall have no voting rights on matters coming before the commission. Membership on the commission by legislative members shall not be deemed as holding a public office.

(E) All members of the commission shall receive their reasonable and necessary expenses pursuant to section 126.31 of the Revised Code while engaged in the performance of their duties as members. Legislative members also shall receive fifty dollars per meeting that they attend. Members appointed by the governor also shall receive an annual salary as follows:

(1) On and before August 31, 1998, not to exceed six thousand dollars payable at the rate of five hundred dollars per month. A member shall receive the monthly five hundred dollar salary only if the member has attended at least one meeting of the commission during that month. A member may receive no more than the monthly five hundred dollar salary regardless of the number of meetings held by the commission during a month or the number of meetings in excess of one within a month that the member attends.

(2) After August 31, 1998, not to exceed eighteen thousand 1447
dollars payable on the following basis: 1448

(a) Except as provided in division (E)(2)(b) of this section, 1449
a member shall receive two thousand dollars during a month in 1450
which the member attends one or more meetings of the commission 1451
and shall receive no payment during a month in which the member 1452
attends no meeting of the commission. 1453

(b) A member may receive no more than the annual eighteen 1454
thousand dollar salary regardless of the number of meetings held 1455
by the commission during a year or the number of meetings in 1456
excess of nine within a year that the member attends. 1457

The chairperson of the commission shall set the meeting dates 1458
of the commission as necessary to perform the duties of the 1459
commission under this chapter and Chapters 4123., 4127., and 4131. 1460
of the Revised Code. The commission shall meet at least nine times 1461
during the period commencing on the first day of September and 1462
ending on the thirty-first day of August of the following year. 1463
The administrator of workers' compensation shall provide 1464
professional and clerical assistance to the commission, as the 1465
commission considers appropriate. 1466

(F) The commission shall: 1467

(1) Review progress of the bureau in meeting its cost and 1468
quality objectives and in complying with this chapter and Chapters 1469
4123., 4127., and 4131. of the Revised Code; 1470

(2) Issue an annual report on the cost and quality objectives 1471
of the bureau to the president of the senate, the speaker of the 1472
house of representatives, and the governor; 1473

(3) Review all independent financial audits of the bureau. 1474
The administrator shall provide access to records of the bureau to 1475
facilitate the review required under this division. 1476

(4) Study issues as requested by the administrator or the governor;	1477 1478
(5) Contract with an independent actuarial firm to assist the commission in making recommendations to the administrator regarding premium rates;	1479 1480 1481
(6) Establish objectives, policies, and criteria for the administration of the investment program that include asset allocation targets and ranges, risk factors, asset class benchmarks, time horizons, total return objectives, and performance evaluation guidelines, and monitor the administrator's progress in implementing the objectives, policies, and criteria on a quarterly basis. The commission shall publish the objectives, policies, and criteria no less than annually and shall make copies available to interested parties. The commission shall prohibit, on a prospective basis, specific investment activity it finds to be contrary to its investment objectives, policies, and criteria.	1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492
The investment policy in existence on March 7, 1997, shall continue until the commission approves objectives, policies, and criteria for the administration of the investment program pursuant to this section.	1493 1494 1495 1496
(7) Advise and consent on all of the following:	1497
(a) Administrative rules the administrator submits to it pursuant to division (B)(5) of section 4121.121 of the Revised Code for the classification of occupations or industries, for premium rates and contributions, for the amount to be credited to the surplus fund, for rules and systems of rating, rate revisions, and merit rating;	1498 1499 1500 1501 1502 1503
(b) The overall policy of the bureau of workers' compensation as set by the administrator;	1504 1505
(c) The duties and authority conferred upon the administrator	1506

pursuant to section 4121.37 of the Revised Code; 1507

(d) Rules the administrator adopts for the health partnership 1508
program and the qualified health plan system, as provided in 1509
sections 4121.44, 4121.441, and 4121.442 of the Revised Code. 1510

~~(8)~~(7) Perform all duties required under section 4121.125 of 1511
the Revised Code. 1512

(G) As used in this section, "employee organization" means 1513
any labor or bona fide organization in which employees participate 1514
and which exists for the purpose, in whole or in part, of dealing 1515
with employers concerning grievances, labor disputes, wages, 1516
hours, terms and other conditions of employment. 1517

Sec. 4121.121. (A) There is hereby created the bureau of 1518
workers' compensation, which shall be administered by the 1519
administrator of workers' compensation. A person appointed to the 1520
position of administrator shall possess significant management 1521
experience in effectively managing an organization or 1522
organizations of substantial size and complexity. The governor 1523
shall appoint the administrator as provided in section 121.03 of 1524
the Revised Code, and the administrator shall serve at the 1525
pleasure of the governor. The governor shall fix the 1526
administrator's salary on the basis of the administrator's 1527
experience and the administrator's responsibilities and duties 1528
under this chapter and Chapters 4123., 4127., and 4131. of the 1529
Revised Code. The governor shall not appoint to the position of 1530
administrator any person who has, or whose spouse has, given a 1531
contribution to the campaign committee of the governor in an 1532
amount greater than one thousand dollars during the two-year 1533
period immediately preceding the date of the appointment of the 1534
administrator. 1535

The administrator shall hold no other public office and shall 1536

devote full time to the duties of administrator. Before entering 1537
upon the duties of the office, the administrator shall take an 1538
oath of office as required by sections 3.22 and 3.23 of the 1539
Revised Code, and shall file in the office of the secretary of 1540
state, a bond signed by the administrator and by surety approved 1541
by the governor, for the sum of fifty thousand dollars payable to 1542
the state, conditioned upon the faithful performance of the 1543
administrator's duties. 1544

(B) The administrator is responsible for the management of 1545
the bureau of workers' compensation and for the discharge of all 1546
administrative duties imposed upon the administrator in this 1547
chapter and Chapters 4123., 4127., and 4131. of the Revised Code, 1548
and in the discharge thereof shall do all of the following: 1549

(1) Establish the overall administrative policy of the bureau 1550
for the purposes of this chapter and Chapters 4123., 4127., and 1551
4131. of the Revised Code, and perform all acts and exercise all 1552
authorities and powers, discretionary and otherwise that are 1553
required of or vested in the bureau or any of its employees in 1554
this chapter and Chapters 4123., 4127., and 4131. of the Revised 1555
Code, except the acts and the exercise of authority and power that 1556
is required of and vested in the oversight commission or the 1557
industrial commission pursuant to those chapters. The treasurer of 1558
state shall honor all warrants signed by the administrator, or by 1559
one or more of the administrator's employees, authorized by the 1560
administrator in writing, or bearing the facsimile signature of 1561
the administrator or such employee under sections 4123.42 and 1562
4123.44 of the Revised Code. 1563

(2) Employ, direct, and supervise all employees required in 1564
connection with the performance of the duties assigned to the 1565
bureau by this chapter and Chapters 4123., 4127., and 4131. of the 1566
Revised Code, and may establish job classification plans and 1567
compensation for all employees of the bureau provided that this 1568

grant of authority shall not be construed as affecting any 1569
employee for whom the state employment relations board has 1570
established an appropriate bargaining unit under section 4117.06 1571
of the Revised Code. All positions of employment in the bureau are 1572
in the classified civil service except those employees the 1573
administrator may appoint to serve at the administrator's pleasure 1574
in the unclassified civil service pursuant to section 124.11 of 1575
the Revised Code. The administrator shall fix the salaries of 1576
employees the administrator appoints to serve at the 1577
administrator's pleasure, including the chief operating officer, 1578
staff physicians, and other senior management personnel of the 1579
bureau and shall establish the compensation of staff attorneys of 1580
the bureau's legal section and their immediate supervisors, and 1581
take whatever steps are necessary to provide adequate compensation 1582
for other staff attorneys. 1583

The administrator may appoint a person holding a certified 1584
position in the classified service to any state position in the 1585
unclassified service of the bureau of workers' compensation. A 1586
person so appointed shall retain the right to resume the position 1587
and status held by the person in the classified service 1588
immediately prior to the person's appointment in the unclassified 1589
service. If the position the person previously held has been 1590
filled or placed in the unclassified service, or is otherwise 1591
unavailable, the person shall be appointed to a position in the 1592
classified service within the bureau that the department of 1593
administrative services certifies is comparable in compensation to 1594
the position the person previously held. Reinstatement to a 1595
position in the classified service shall be to a position 1596
substantially equal to that held previously, as certified by the 1597
department of administrative services. Service in the position in 1598
the unclassified service shall be counted as service in the 1599
position in the classified service held by the person immediately 1600

prior to the person's appointment in the unclassified service. 1601
When a person is reinstated to a position in the classified 1602
service as provided in this section, the person is entitled to all 1603
rights, status, and benefits accruing to the position during the 1604
person's time of service in the position in the unclassified 1605
service. 1606

(3) Reorganize the work of the bureau, its sections, 1607
departments, and offices to the extent necessary to achieve the 1608
most efficient performance of its functions and to that end may 1609
establish, change, or abolish positions and assign and reassign 1610
duties and responsibilities of every employee of the bureau. All 1611
persons employed by the commission in positions that, after 1612
November 3, 1989, are supervised and directed by the administrator 1613
under this section are transferred to the bureau in their 1614
respective classifications but subject to reassignment and 1615
reclassification of position and compensation as the administrator 1616
determines to be in the interest of efficient administration. The 1617
civil service status of any person employed by the commission is 1618
not affected by this section. Personnel employed by the bureau or 1619
the commission who are subject to Chapter 4117. of the Revised 1620
Code shall retain all of their rights and benefits conferred 1621
pursuant to that chapter as it presently exists or is hereafter 1622
amended and nothing in this chapter or Chapter 4123. of the 1623
Revised Code shall be construed as eliminating or interfering with 1624
Chapter 4117. of the Revised Code or the rights and benefits 1625
conferred under that chapter to public employees or to any 1626
bargaining unit. 1627

(4) Provide offices, equipment, supplies, and other 1628
facilities for the bureau. 1629

(5) Prepare and submit to the oversight commission 1630
information the administrator considers pertinent or the oversight 1631
commission requires, together with the administrator's 1632

recommendations, in the form of administrative rules, for the 1633
advice and consent of the oversight commission, for 1634
classifications of occupations or industries, for premium rates 1635
and contributions, for the amount to be credited to the surplus 1636
fund, for rules and systems of rating, rate revisions, and merit 1637
rating. The administrator shall obtain, prepare, and submit any 1638
other information the oversight commission requires for the prompt 1639
and efficient discharge of its duties. 1640

(6) Keep the accounts required by division (A) of section 1641
4123.34 of the Revised Code and all other accounts and records 1642
necessary to the collection, administration, and distribution of 1643
the workers' compensation funds and shall obtain the statistical 1644
and other information required by section 4123.19 of the Revised 1645
Code. 1646

(7) Exercise the investment powers vested in the 1647
administrator by section 4123.44 of the Revised Code in accordance 1648
with the ~~investment objectives, policies, and criteria established~~ 1649
~~by the oversight commission pursuant to section 4121.12 of the~~ 1650
~~Revised Code. The administrator shall not engage in any prohibited~~ 1651
~~investment activity specified by the oversight commission pursuant~~ 1652
~~to division (F)(6) of section 4121.12 of the Revised Code~~ 1653
requirements specified in that section. All business shall be 1654
transacted, all funds invested, all warrants for money drawn and 1655
payments made, and all cash and securities and other property 1656
held, in the name of the bureau, or in the name of its nominee, 1657
provided that nominees are authorized by the administrator solely 1658
for the purpose of facilitating the transfer of securities, and 1659
restricted to the administrator and designated employees. 1660

(8) Make contracts for and supervise the construction of any 1661
project or improvement or the construction or repair of buildings 1662
under the control of the bureau. 1663

(9) Purchase supplies, materials, equipment, and services; 1664
make contracts for, operate, and superintend the telephone, other 1665
telecommunication, and computer services for the use of the 1666
bureau; and make contracts in connection with office reproduction, 1667
forms management, printing, and other services. Notwithstanding 1668
sections 125.12 to 125.14 of the Revised Code, the administrator 1669
may transfer surplus computers and computer equipment directly to 1670
an accredited public school within the state. The computers and 1671
computer equipment may be repaired or refurbished prior to the 1672
transfer. 1673

(10) Separately from the budget the industrial commission 1674
submits, prepare and submit to the director of budget and 1675
management a budget for each biennium. The budget submitted shall 1676
include estimates of the costs and necessary expenditures of the 1677
bureau in the discharge of any duty imposed by law. 1678

(11) As promptly as possible in the course of efficient 1679
administration, decentralize and relocate such of the personnel 1680
and activities of the bureau as is appropriate to the end that the 1681
receipt, investigation, determination, and payment of claims may 1682
be undertaken at or near the place of injury or the residence of 1683
the claimant and for that purpose establish regional offices, in 1684
such places as the administrator considers proper, capable of 1685
discharging as many of the functions of the bureau as is 1686
practicable so as to promote prompt and efficient administration 1687
in the processing of claims. All active and inactive lost-time 1688
claims files shall be held at the service office responsible for 1689
the claim. A claimant, at the claimant's request, shall be 1690
provided with information by telephone as to the location of the 1691
file pertaining to claim. The administrator shall ensure that all 1692
service office employees report directly to the director for their 1693
service office. 1694

(12) Provide a written binder on new coverage where the 1695

administrator considers it to be in the best interest of the risk. 1696
The administrator, or any other person authorized by the 1697
administrator, shall grant the binder upon submission of a request 1698
for coverage by the employer. A binder is effective for a period 1699
of thirty days from date of issuance and is nonrenewable. Payroll 1700
reports and premium charges shall coincide with the effective date 1701
of the binder. 1702

(13) Set standards for the reasonable and maximum handling 1703
time of claims payment functions, ensure, by rules, the impartial 1704
and prompt treatment of all claims and employer risk accounts, and 1705
establish a secure, accurate method of time stamping all incoming 1706
mail and documents hand delivered to bureau employees. 1707

(14) Ensure that all employees of the bureau follow the 1708
orders and rules of the commission as such orders and rules relate 1709
to the commission's overall adjudicatory policy-making and 1710
management duties under this chapter and Chapters 4123., 4127., 1711
and 4131. of the Revised Code. 1712

(15) Manage and operate a data processing system with a 1713
common data base for the use of both the bureau and the commission 1714
and, in consultation with the commission, using electronic data 1715
processing equipment, shall develop a claims tracking system that 1716
is sufficient to monitor the status of a claim at any time and 1717
that lists appeals that have been filed and orders or 1718
determinations that have been issued pursuant to section 4123.511 1719
or 4123.512 of the Revised Code, including the dates of such 1720
filings and issuances. 1721

(16) Establish and maintain a medical section within the 1722
bureau. The medical section shall do all of the following: 1723

(a) Assist the administrator in establishing standard medical 1724
fees, approving medical procedures, and determining eligibility 1725
and reasonableness of the compensation payments for medical, 1726

hospital, and nursing services, and in establishing guidelines for	1727
payment policies which recognize usual, customary, and reasonable	1728
methods of payment for covered services;	1729
(b) Provide a resource to respond to questions from claims	1730
examiners for employees of the bureau;	1731
(c) Audit fee bill payments;	1732
(d) Implement a program to utilize, to the maximum extent	1733
possible, electronic data processing equipment for storage of	1734
information to facilitate authorizations of compensation payments	1735
for medical, hospital, drug, and nursing services;	1736
(e) Perform other duties assigned to it by the administrator.	1737
(17) Appoint, as the administrator determines necessary,	1738
panels to review and advise the administrator on disputes arising	1739
over a determination that a health care service or supply provided	1740
to a claimant is not covered under this chapter or Chapter 4123.	1741
of the Revised Code or is medically unnecessary. If an individual	1742
health care provider is involved in the dispute, the panel shall	1743
consist of individuals licensed pursuant to the same section of	1744
the Revised Code as such health care provider.	1745
(18) Pursuant to section 4123.65 of the Revised Code, approve	1746
applications for the final settlement of claims for compensation	1747
or benefits under this chapter and Chapters 4123., 4127., and	1748
4131. of the Revised Code as the administrator determines	1749
appropriate, except in regard to the applications of self-insuring	1750
employers and their employees.	1751
(19) Comply with section 3517.13 of the Revised Code, and	1752
except in regard to contracts entered into pursuant to the	1753
authority contained in section 4121.44 of the Revised Code, comply	1754
with the competitive bidding procedures set forth in the Revised	1755
Code for all contracts into which the administrator enters	1756

provided that those contracts fall within the type of contracts 1757
and dollar amounts specified in the Revised Code for competitive 1758
bidding and further provided that those contracts are not 1759
otherwise specifically exempt from the competitive bidding 1760
procedures contained in the Revised Code. 1761

(20) Adopt, with the advice and consent of the oversight 1762
commission, rules for the operation of the bureau. 1763

(21) Prepare and submit to the oversight commission 1764
information the administrator considers pertinent or the oversight 1765
commission requires, together with the administrator's 1766
recommendations, in the form of administrative rules, for the 1767
advice and consent of the oversight commission, for the health 1768
partnership program and the qualified health plan system, as 1769
provided in sections 4121.44, 4121.441, and 4121.442 of the 1770
Revised Code. 1771

(C) The administrator, with the advice and consent of the 1772
senate, shall appoint a chief operating officer who has 1773
significant experience in the field of workers' compensation 1774
insurance or other similar insurance industry experience if the 1775
administrator does not possess such experience. The chief 1776
operating officer shall not commence the chief operating officer's 1777
duties until after the senate consents to the chief operating 1778
officer's appointment. The chief operating officer shall serve in 1779
the unclassified civil service of the state. 1780

Sec. 4121.125. (A) The workers' compensation oversight 1781
commission may contract with one or more outside actuarial firms 1782
and other professional persons, as the oversight commission 1783
determines necessary, to assist the oversight commission in 1784
measuring the performance of Ohio's workers' compensation system 1785
and in comparing Ohio's workers' compensation system to other 1786
state and private workers' compensation systems. The oversight 1787

commission, actuarial firm or firms, and professional persons 1788
shall make such measurements and comparisons using accepted 1789
insurance industry standards, including, but not limited to, 1790
standards promulgated by the National Council on Compensation 1791
Insurance. 1792

(B) The oversight commission may contract with one or more 1793
outside firms to conduct management and financial audits of the 1794
workers' compensation system, including audits of the reserve fund 1795
belonging to the state insurance fund, and to establish objective 1796
quality management principles and methods by which to review the 1797
performance of the workers' compensation system. 1798

(C) The administrator and the industrial commission shall 1799
compile information and provide access to records of the bureau 1800
and the industrial commission to the oversight commission to the 1801
extent necessary for fulfillment of both of the following 1802
requirements: 1803

(1) Conduct of the measurements and comparisons described in 1804
division (A) of this section; 1805

(2) Conduct of the management and financial audits and 1806
establishment of the principles and methods described in division 1807
(B) of this section. 1808

(D) The administrator shall pay the expenses incurred by the 1809
oversight commission to effectively fulfill its duties and 1810
exercise its powers under this section as the administrator pays 1811
other operating expenses of the bureau. 1812

(E) The oversight commission shall submit to the Ohio 1813
retirement study council a copy of each actuarial report and audit 1814
conducted pursuant to this section. 1815

Sec. 4123.44. (A) The administrator of workers' compensation, 1816
in accordance with ~~the investment objectives, policies, and~~ 1817

~~criteria established by the workers' compensation oversight
commission pursuant to section 4121.12 of the Revised Code,
sections 3517.13, 4123.441, and 4123.442 of the Revised Code may
invest any of the surplus or reserve belonging to the state
insurance fund in any kind of investments in which the treasurer
of state is authorized to invest interim funds under section
135.143 of the Revised Code.~~

~~The administrator and other fiduciaries shall discharge their
duties with respect to the funds with the care, skill, prudence,
and diligence under the circumstances then prevailing that a
prudent person acting in a like capacity and familiar with such
matters would use in the conduct of an enterprise of a like
character and with like aims, and by diversifying the investments
of the assets of the funds so as to minimize the risk of large
losses, unless under the circumstances it is clearly prudent not
to do so.~~

~~To facilitate investment of the funds, the administrator may
establish a partnership, trust, limited liability company,
corporation, including a corporation exempt from taxation under
the Internal Revenue Code, 100 Stat. 2085, 26 U.S.C. 1, as
amended, or any other legal entity authorized to transact business
in this state.~~

~~When reporting on the performance of investments, the
administrator shall comply with the performance presentation
standards established by the association for investment management
and research.~~

~~(B)(1) The administrator shall not invest any of the surplus
or reserve belonging to the state insurance fund in alternative or
private entity investments.~~

~~(2) As used in this division:~~

~~(a) "Alternative investment" means a financial commitment to~~

a nonsecurity or nonconventional investment. 1849

(b) "Private entity investment" means investments in securities and funds of companies not listed on a national stock exchange or regularly quoted in an over-the-counter market by one or more members of national or affiliated securities association. 1850
1851
1852
1853

(C) All investments shall be purchased at current market 1854
prices and the evidences of title to the investments shall be 1855
placed in the custody of the treasurer of state, who is hereby 1856
designated as custodian, or in the custody of the treasurer of 1857
state's authorized agent. Evidences of title of the investments so 1858
purchased may be deposited by the treasurer of state for 1859
safekeeping with an authorized agent selected by the treasurer of 1860
state who is a qualified trustee under section 135.18 of the 1861
Revised Code. The treasurer of state or the agent shall collect 1862
the principal, dividends, distributions, and interest as they 1863
become due and payable and place them when collected into the 1864
state insurance fund. 1865

The treasurer of state shall pay for investments purchased by 1866
the administrator on receipt of written or electronic instructions 1867
from the administrator or the administrator's designated agent 1868
authorizing the purchase, and pending receipt of the evidence of 1869
title of the investment by the treasurer of state or the treasurer 1870
of state's authorized agent. The administrator may sell 1871
investments held by the administrator, and the treasurer of state 1872
or the treasurer of state's authorized agent shall accept payment 1873
from the purchaser and deliver evidence of title of the investment 1874
to the purchaser, on receipt of written or electronic instructions 1875
from the administrator or the administrator's designated agent 1876
authorizing the sale, and pending receipt of the moneys for the 1877
investments. The amount received shall be placed in the state 1878
insurance fund. The administrator and the treasurer of state may 1879
enter into agreements to establish procedures for the purchase and 1880

sale of investments under this division and the custody of the 1881
investments. 1882

No purchase or sale of any investment shall be made under 1883
this section, except as authorized by the administrator. 1884

Any statement of financial position distributed by the 1885
administrator shall include the fair value, as of the statement 1886
date, of all investments held by the administrator under this 1887
section. 1888

(D) When in the judgment of the administrator it is necessary 1889
to provide available funds for the payment of compensation or 1890
benefits under this chapter, the administrator may borrow money 1891
from any available source and pledge as security a sufficient 1892
amount of bonds or other securities in which the state insurance 1893
fund is invested. The aggregate unpaid amount of loans existing at 1894
any one time for money so borrowed shall not exceed ten million 1895
dollars. The bonds or other securities so pledged as security for 1896
such loans to the administrator shall be the sole security for the 1897
payment of the principal and interest of any such loan. The 1898
administrator shall not be personally liable for the payment of 1899
the principal or the interest of any such loan. No such loan shall 1900
be made for a longer period of time than one year. Such loans may 1901
be renewed but no one renewal shall be for a period in excess of 1902
one year. Such loans shall bear such rate of interest as the 1903
administrator determines and in negotiating the loans, the 1904
administrator shall endeavor to secure as favorable interest rates 1905
and terms as circumstances will permit. 1906

The treasurer of state may deliver to the person or 1907
governmental agency making such loan, the bonds or other 1908
securities which are to be pledged by the administrator as 1909
security for such loan, upon receipt by the treasurer of state of 1910
an order of the administrator authorizing such loan. Upon payment 1911

of any such loan by the administrator, the bonds or other securities pledged as security therefor shall be returned to the treasurer of state as custodian of such bonds.

The administrator may pledge with the treasurer of state such amount of bonds or other securities in which the state insurance fund is invested as is reasonably necessary as security for any certificates issued, or paid out, by the treasurer of state upon any warrants drawn by the administrator.

(E) The administrator may secure investment information services, consulting services, and other like services to facilitate investment of the surplus and reserve belonging to the state insurance fund. The administrator shall pay the expense of securing such services from the state insurance fund.

Sec. 4123.441. (A) As used in this section and section 4123.442 of the Revised Code:

(1) "Bureau of workers' compensation funds" means any fund specified in Chapter 4121., 4123., 4127., or 4131. of the Revised Code that the administrator of workers' compensation has the authority to invest in accordance with the administrator's investment authority under section 4123.44 of the Revised Code.

(2) "Investment manager" means any person with whom the administrator of workers' compensation contracts pursuant to section 4123.44 of the Revised Code to facilitate the investment of bureau of workers' compensation funds.

(3) "Business entity" means any person with whom an investment manager contracts for the investment of bureau of workers' compensation funds.

(4) "Financial or investment crime" means any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, drug

trafficking, or any criminal offense involving money or 1942
securities, as set forth in Chapters 2909., 2911., 2913., 2915., 1943
2921., 2923., and 2925. of the Revised Code or other law of this 1944
state, or the laws of any other state or the United States that 1945
are substantially equivalent to those offenses. 1946

(B)(1) Before entering into a contract with an investment 1947
manager to invest bureau of workers' compensation funds, the 1948
administrator shall do all of the following: 1949

(a) Request from any investment manager with whom the 1950
administrator wishes to contract for those investments a list of 1951
all employees who either have authority over all investments made 1952
by the investment manager or will be investing the funds of the 1953
bureau of workers' compensation. The list shall specify each 1954
employee's state of residence for the five years prior to the date 1955
of the administrator's request. 1956

(b) Request that the superintendent of the bureau of criminal 1957
investigation and identification conduct a criminal records check 1958
in accordance with this section and section 109.579 of the Revised 1959
Code with respect to every employee the investment manager names 1960
in that list. 1961

(c) Submit the results of the criminal records check and a 1962
description of the investment manager's ability to invest bureau 1963
of workers' compensation funds in the investments permitted under 1964
section 4123.44 of the Revised Code to the Ohio retirement study 1965
council. 1966

(2) After an investment manager enters into a contract with 1967
the administrator to invest bureau of workers' compensation funds 1968
and before an investment manager enters into a contract with a 1969
business entity to facilitate those investments, the investment 1970
manager shall request from any business entity with whom the 1971
investment manager wishes to contract to make those investments a 1972

list of all employees who either have authority over all 1973
investments made by the business entity or who will be investing 1974
the bureau of workers' compensation funds. The list shall specify 1975
each employee's state of residence for the five years prior to the 1976
investment manager's request. The investment manager shall forward 1977
to the administrator the list received from the business entity. 1978
The administrator shall request the superintendent to conduct a 1979
criminal records check in accordance with this section and section 1980
109.579 of the Revised Code with respect to every employee the 1981
business entity names in that list. Upon receipt of the results of 1982
the criminal records check, the administrator shall forward a copy 1983
of those results to the investment manager. 1984

Prior to entering into a contract with a business entity for 1985
the investment of bureau of workers' compensation funds, the 1986
investment manager shall submit to the Ohio retirement study 1987
council the results of the criminal records check and a 1988
description of the business entity's ability to invest bureau of 1989
workers' compensation funds in the investments permitted under 1990
section 4123.44 of the Revised Code. 1991

(3) If, after a contract has been entered into between the 1992
administrator and an investment manager or between an investment 1993
manager and a business entity for the investment of bureau of 1994
workers' compensation funds, the investment manager or business 1995
entity wishes to have an employee who was not the subject of a 1996
criminal records check under division (B)(1) or (B)(2) of this 1997
section invest the bureau of workers' compensation funds, that 1998
employee shall be the subject of a criminal records check pursuant 1999
to this section and section 109.579 of the Revised Code prior to 2000
handling the investment of those funds. The investment manager 2001
shall submit to the administrator the name of that employee along 2002
with the employee's state of residence for the five years prior to 2003
the date in which the administrator requests the criminal records 2004

check. The administrator shall request that the superintendent 2005
conduct a criminal records check on that employee pursuant to this 2006
section and section 109.579 of the Revised Code. 2007

Prior to the investment manager or business entity permitting 2008
the employee to handle the investment of bureau of workers' 2009
compensation funds, the administrator shall submit the results of 2010
the criminal records check to the Ohio retirement study council. 2011

(C)(1) If an employee who is the subject of a criminal 2012
records check pursuant to division (B) of this section has not 2013
been a resident of this state for the five-year period immediately 2014
prior to the time the criminal records check is requested or does 2015
not provide evidence that within that five-year period the 2016
superintendent has requested information about the employee from 2017
the federal bureau of investigation in a criminal records check, 2018
the administrator shall request that the superintendent obtain 2019
information from the federal bureau of investigation as a part of 2020
the criminal records check for the employee. If the employee has 2021
been a resident of this state for at least that five-year period, 2022
the administrator may, but is not required to, request that the 2023
superintendent request and include in the criminal records check 2024
information about that employee from the federal bureau of 2025
investigation. 2026

(2) The administrator shall provide to an investment manager 2027
a copy of the form prescribed pursuant to division (C)(1) of 2028
section 109.579 of the Revised Code and a standard impression 2029
sheet for each employee for whom a criminal records check must be 2030
performed, to obtain fingerprint impressions as prescribed 2031
pursuant to division (C)(2) of section 109.579 of the Revised 2032
Code. The investment manager shall obtain the completed form and 2033
impression sheet either directly from each employee or from a 2034
business entity and shall forward the completed form and sheet to 2035
the administrator, who shall forward these forms and sheets to the 2036

superintendent. 2037

(3) Any employee who receives a copy of the form and the 2038
impression sheet pursuant to division (C)(2) of this section and 2039
who is requested to complete the form and provide a set of 2040
fingerprint impressions shall complete the form or provide all the 2041
information necessary to complete the form and shall complete the 2042
impression sheets in the manner prescribed in division (C)(2) of 2043
section 109.579 of the Revised Code. 2044

(D) For each criminal records check the administrator 2045
requests under this section, at the time the administrator makes a 2046
request the administrator shall pay to the superintendent the fee 2047
the superintendent prescribes pursuant to division (E) of section 2048
109.579 of the Revised Code. 2049

Sec. 4123.442. (A)(1) The administrator of workers' 2050
compensation shall not enter into a contract with an investment 2051
manager for the investment of the bureau of workers' compensation 2052
funds without the approval of the Ohio retirement study council 2053
pursuant to section 171.041 of the Revised Code. 2054

(2) An investment manager who has entered into a contract 2055
with the bureau of workers' compensation for the investment of 2056
bureau of workers' compensation funds shall not contract with a 2057
business entity for the investment of those funds without the 2058
approval of the Ohio retirement study council pursuant to section 2059
171.041 of the Revised Code. 2060

(3) The administrator shall not enter into a contract with an 2061
investment manager who refuses to submit the list of the 2062
investment manager's employees required under division (B) of 2063
section 4123.441 of the Revised Code. An investment manager shall 2064
not enter into a contract with a business entity who refuses to 2065
submit the list of the business entity's employees required under 2066

division (B) of section 4123.441 of the Revised Code. 2067

(B)(1) The contract entered into between the administrator 2068
and an investment manager for the investment of bureau of workers' 2069
compensation funds shall contain a provision stating that the 2070
investment manager will be found in breach of the contract and the 2071
contract is null and void if either of the following events occur: 2072

(a) The investment manager enters into a contract with a 2073
business entity for the investment of bureau of workers' 2074
compensation funds knowing that an employee of the business entity 2075
who either has authority over all investments the business entity 2076
conducts or who will be investing the bureau of workers' 2077
compensation funds has been convicted of or pleaded guilty to a 2078
financial or investment crime. 2079

(b) The investment manager, after the investment manager has 2080
contracted with the administrator to invest bureau of workers' 2081
compensation funds, permits an employee who has been convicted of 2082
or pleaded guilty to a financial or investment crime to invest 2083
bureau of workers' compensation funds. 2084

(2) If an investment manager is found in breach of contract 2085
under division (B)(1) of this section, the bureau shall terminate 2086
the contract with the investment manager and absorb all financial 2087
losses incurred in the termination of the contract except as 2088
provided in division (C) of this section. 2089

(C) If an investment manager has contracted with more than 2090
one business entity for the investments of bureau of workers' 2091
compensation funds and the investment manager's contract with the 2092
administrator is terminated under division (B) of this section, 2093
the administrator shall leave the bureau of workers' compensation 2094
funds invested with the business entities who were not the basis 2095
for the investment manager to be in breach of contract under 2096
division (B) of this section. The Ohio retirement study council 2097

shall oversee the investments of those funds left with those 2098
business entities in accordance with the rules the council adopts 2099
under section 171.041 of the Revised Code until the administrator 2100
enters into a contract with another investment manager for those 2101
investments. 2102

Sec. 4123.444. No state elected officer or individual who is 2103
a candidate for state elective office shall solicit an investment 2104
manager or business entity for contributions for a committee 2105
proposing or opposing a ballot question or issue to be submitted 2106
to an elector or on behalf of any charity. 2107

As used in this section, "state elected officer" and "state 2108
elective office" have the same meanings as in section 3517.092 of 2109
the Revised Code, and "business entity" and "investment manager" 2110
have the same meanings as in section 4123.441 of the Revised Code. 2111

Sec. 4123.99. (A) Whoever violates section 4123.27 or 4123.28 2112
of the Revised Code is guilty of a misdemeanor of the fourth 2113
degree. 2114

(B) Whoever violates section 4123.50 of the Revised Code is 2115
guilty of a minor misdemeanor. Whoever purposely violates such 2116
section is guilty of a misdemeanor of the second degree. 2117

(C) Whoever violates section 4123.81 of the Revised Code is 2118
guilty of a minor misdemeanor. 2119

(D) Whoever violates section 4123.88 of the Revised Code is 2120
guilty of a misdemeanor of the second degree. 2121

(E) Whoever violates section 4123.417 of the Revised Code is 2122
guilty of a misdemeanor of the second degree, and the persons who 2123
shall have paid a fee, compensation, or gratuity as prohibited by 2124
section 4123.417 of the Revised Code may recover by civil action 2125
three times the amount thereof, together with a reasonable 2126

attorney's fee, from the person to whom the sum was paid or given. 2127

(F) Whoever violates section 4123.444 of the Revised Code is 2128
guilty of a felony in the fifth degree. 2129

Section 2. That existing sections 102.02, 171.01, 171.03, 2130
171.05, 3517.13, 3517.151, 3517.992, 4121.12, 4121.121, 4121.125, 2131
4123.44, and 4123.99 of the Revised Code are hereby repealed. 2132