



S.B. 75

125th General Assembly
(As Introduced)

Sens. Mallory, Herington, Dann, Fingerhut

BILL SUMMARY

- Prohibits county elected officers, candidates for county elective offices, campaign committees of these officers or candidates, and others from accepting contributions from certain county employees.

CONTENT AND OPERATION

Current law

Under current law, *state* elected officers, candidates for state elected offices, and their respective campaign committees, as well as other persons or entities, are prohibited from knowingly *soliciting or accepting* contributions on behalf of those individuals or their committees from specified state employees. The prohibitions apply to the contributions of (1) any state employee whose appointing authority (commonly, the state employer) is or will be the state elected officer or someone who is appointed by that officer and (2) any state employee who "functions or will function in" or "is or will be employed in or by" the same public agency, department, division, or office as the officer. (Sec. 3517.092(B) and (C).)

The prohibitions in current law pertaining to *county* elected officers, candidates for county elective offices, their campaign committees, and other persons and entities are similar in prohibiting the *solicitation* of contributions from specified county employees. But, no prohibition against *accepting* contributions applies to county officers, candidates for county offices, their campaign committees, and others. (Sec. 3517.092(D) and (E).)

Whoever solicits a contribution in violation of these prohibitions (state or county-related) is guilty of a misdemeanor of the first degree (sec. 3517.992(M)(1)). A *state* elected officer, candidate for state elective office, or associated campaign committee, etc. who *knowingly accepts* a contribution violating the prohibitions must be fined an amount equal to three times the amount

accepted and must return to the contributor the amount accepted. A state elected officer, candidate for state elective office, associated campaign committee, etc. who *unknowingly accepts* a contribution violating the prohibitions must return to the contributor the amount accepted. (Sec. 3517.992(M)(2).)

Changes proposed by the bill

The bill affords identical treatment to the county-related provisions as is currently applicable to the provisions for state elected officers, candidates for state elective offices, and their campaign committees, etc. Accordingly, county elected officers, candidates for county elective offices, and their campaign committees, as well as certain other persons and entities, are prohibited from knowingly *soliciting or accepting* campaign contributions from specified county employees. Similarly, the penalties for violations of these prohibitions are identical under the bill. (Secs. 3517.092(D) and (E) and 3517.992(M)(2).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-24-03	p. 294

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