

# Ohio Elections Commission

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- Executive recommendations for FY2002 are \$597,320 and for FY2003 are \$625,846
- There have been fewer individual complaints to the commission; but overall there remains a consistency in the number of complaints filed.
- In FY2002, for the first time, ELC's budget is evenly split between the GRF and the Ohio Elections Fund (4P2)

## OVERVIEW

The Ohio Elections Commission (ELC) oversees political party spending, campaign finance, and corporate political contributions to ensure compliance with the Ohio Elections Law set forth in Ohio Revised Code chapter 3517.

The Commission is comprised of seven members including three Republicans, three Democrats, and one Independent. The Commission employs a staff of three people, including an executive director and two administrative assistants.

## ADDITIONAL FACTS AND FIGURES

Ohio Elections Commission Staffing Levels						
Ohio Elections Commission	1998	1999	2000	2001	Estimated	
					2002	2003
Staff	3	3	3	3	3	3
Commission Members	7	7	7	7	7	7
<b>Totals</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>

### Filing fee and fine revenue (Non-GRF Revenue)

- Fifty percent (50%) of the Commission's budget during the FY2002-FY2003 biennium is projected to come from filing fees and fines.
- The Commission receives a majority of its filing fee revenue between August and October in even-numbered years because most local candidates file their petitions to run for elected office in this time period.
- Typically, the Commission uses its non-GRF revenue to make its lease payments, to fund its personnel costs, and at least \$5,000 serves as contingency money for unanticipated expenditures. For example, the Commission might need to spend more than the budgeted amounts of money on special investigations. In the FY2002-FY2003 biennium, a greater portion of payroll costs will be funded from 4P2 instead of GRF. The total budget will be split 50/50 between the GRF and Fund 4P2.
- To ensure fair and consistent treatment, ELC typically follows a set pattern for fining violators of the Elections Law. Usually a first offense results in a warning, a second offense is a \$100 fine, a third offense a \$200 fine, and doubling for each offense thereafter. Obviously, the circumstances of a particular case may warrant a fine amount different from the general fine pattern described above.

### Estimated Non-GRF filing fee and fine revenue

Fiscal Year	Estimated Fee Revenue	Estimated Fine Revenue	Total Non-GRF Revenue
2002	\$273,000	\$27,000	<b>\$300,000</b>
2003	\$48,000	\$27,000	<b>\$75,000</b>

## Statutory Filing Fees and Portion Going to ELC

### Fees for Filing Petition of Candidacy

<i>Office</i>	<b>Total Statutory Fee</b>	<b>Portion of total fee that goes to ELC</b>
<i>Statewide</i> (e.g. Governor, U.S. Senate)	\$150	\$50
<i>State Board of Education</i>	\$55	\$35
<i>Judge</i> (Supreme Court judges pay statewide fee)	\$80	\$30
<i>District</i> (State legislators and U.S. representatives)	\$85	\$35
<i>City</i>	\$45	\$25
<i>County</i>	\$80	\$30
<i>Township and Village</i>	\$30	\$20
<i>School Board/Educational Service Center</i>	\$30	\$20

### Fees for Filing Petitions for Ballot Questions/Issue

<i>Jurisdiction Affected by Question/Issue</i>	<b>Total Statutory Fee</b>	<b>Portion of total fee that goes to ELC</b>
<i>Statewide</i>	\$25	\$25
<i>City</i>	\$12.50	\$12.50
<i>County or Multi-county district</i>	\$15	\$15
<i>Precinct or sub-county district</i>	\$10	\$10
<i>School Board/Educational Service Center</i>	\$10	\$10

## ANALYSIS OF EXECUTIVE PROPOSAL

### OHIO ELECTIONS COMMISSION

### Single Program Series Agency

**Purpose** The Ohio Elections Commission (ELC) oversees political party spending, campaign finance, and corporate political contributions and investigates causes of unlawful practices.

The following table shows the line items that are used to fund the Commission, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	051-321	Operating Expenses	\$298,660	\$312,923
4P2	051-601	Ohio Elections Commission	\$298,660	\$312,923
<b>Total funding: Ohio Elections Commission</b>			<b>\$597,320</b>	<b>\$625,846</b>

**Ohio Elections Commission** *Agency Description:* The Ohio Elections Commission (ELC) oversees political party spending, campaign finance, and corporate political contributions to ensure compliance with the Ohio Elections Law set forth in Ohio Revised Code chapter 3517. The Commission also investigates unlawful campaign practices and issues advisory opinions concerning Ohio's Elections Law. In 2000, the Commission received 925 complaints, issued 5 advisory opinions, and held 39 meetings.

The Governor, upon the recommendation of the Democratic and Republican caucuses of the Ohio legislature, appoints six of the Commission members. The seventh member must be an Independent and is chosen by a majority vote of the other six partisan appointees. Commission members are paid an annual salary of \$25,000 plus reimbursement for expenses incurred performing their duties.

The Commission became an independent agency in 1996 under S.B. 9 of the 121<sup>st</sup> General Assembly. Previously ELC was housed within the Secretary of State's Office.

**Funding Source:** GRF; SSR, declaration of candidacy and ballot question/issue filing fee revenue, and fine revenue from violators of Ohio's Election Law.

**Implication of Recommendation:** The Governor's recommendation would permit the Commission to meet its statutorily required duties and continue its activities at current levels.

Salaries are the largest portion of the Commission's budget with the salaries of Commission members and staff representing approximately 75 percent of the Commission's annual budget.

The Commission's expenses in maintenance services and equipment services have been held down resulting in a decrease in budgeted amounts of 6.2% in maintenance services and a decrease of 20% in equipment service for FY2002 compared to FY2001.

## PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect the department's activities and spending decisions during the next biennium.

There are no permanent or temporary law provisions with fiscal effects on this agency.

## REQUESTS NOT FUNDED

The Elections Commission's budget request was fully funded.

## LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

<i>Fund ALI ALI Title</i>	<i>Revised Estimated 2001</i>	<i>As Introduced 2002</i>	<i>House Passed 2002</i>	<i>% Change Est. 2001 to House 2002</i>	<i>As Introduced 2003</i>	<i>House Passed 2003</i>	<i>% Change House 2002 to House 2003</i>
<b><i>ELC Ohio Elections Commission</i></b>							
GRF 051-321 Operating Expenses	\$440,309	\$ 298,660	\$ 298,660	-32.2%	\$ 312,923	\$ 307,022	2.8%
<b>General Revenue Fund Total</b>	<b>\$ 440,309</b>	<b>\$ 298,660</b>	<b>\$ 298,660</b>	<b>-32.2%</b>	<b>\$ 312,923</b>	<b>\$ 307,022</b>	<b>2.8%</b>
4P2 051-601 Ohio Elections Commission	\$150,000	\$ 298,660	\$ 298,660	99.1%	\$ 312,923	\$ 312,923	4.8%
<b>State Special Revenue Fund Group Total</b>	<b>\$ 150,000</b>	<b>\$ 298,660</b>	<b>\$ 298,660</b>	<b>99.1%</b>	<b>\$ 312,923</b>	<b>\$ 312,923</b>	<b>4.8%</b>
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<b><i>Total All Budget Fund Groups</i></b>	<b>\$ 590,309</b>	<b>\$ 597,320</b>	<b>\$ 597,320</b>	<b>1.2%</b>	<b>\$ 625,846</b>	<b>\$ 619,945</b>	<b>3.8%</b>

## General Revenue Fund

### GRF 051-321 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$408,743	\$429,505	\$418,726	\$444,757	\$298,660	\$312,923
	5.1%	-2.5%	6.2%	-32.8%	4.8%

*Source:* GRF

*Legal Basis:* ORC 3517.152(H)

*Purpose:* To pay personnel, maintenance, and equipment costs for the Elections Commission

## State Special Revenue Fund Group

### 4P2 051-601 Ohio Elections Commission

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$86,839	\$80,762	\$124,679	\$150,000	\$298,660	\$312,923
	-7.0%	54.4%	20.3%	99.1%	4.8%

*Source:* SSR: Declaration of candidacy and ballot question/issue filing fee revenue and fine revenue from violators of Ohio's Election Law

*Legal Basis:* ORC 3513.10 (E) (established by S.B. 9 of the 121st G.A.)

*Purpose:* To pay expenses related to the operation of the Commission