

Secretary of State

- Potential retention of 100% of fees in SOS's Business Services Division would reduce SOS's reliance on GRF funds by approximately 61%.
- Ongoing technology upgrades throughout SOS, especially web-enabled software and applications designed to facilitate e-business, will help SOS reduce filing backlogs and use current staff efficiently.

OVERVIEW

The Secretary of State oversees Ohio elections and supervises the 88 county boards of elections in their duties related to conducting elections. As Ohio's chief election officer, SOS supervises the administration of election laws, approves ballot language, and reviews statewide initiative and referendum petitions. The Secretary of State chairs the Ohio Ballot Board, which approves ballot language for statewide issues, canvasses votes for all elected state offices and election issues, investigates election fraud, and trains election officials.

The Office of Secretary of State has two program areas: Elections Oversight and Administration (EOA) and Business Services. About 52% or 85 of all SOS personnel work exclusively in the Business Services program series in the FY2002 and FY2003 biennium. About 17% or 28 employees work in the Elections Oversight and Administration program series. The other 31% or 49 employees work in technology support or central administration positions, such as information technology or finance and legal, which support both program series (primarily the Business Services section).

Elections

The Elections Division compiles and maintains election statistics, political party records, and other election-related records. The Elections Division also licenses ministers to perform marriage ceremonies and maintains certain other public records related to state and local governments.

Business Services

The Business Services Division receives and approves articles of incorporation for Ohio corporations and grants licenses to out-of-state corporations seeking to do business in Ohio. Limited partnerships and limited liability companies also must file. The Corporations section keeps a registry of information about each corporation in Ohio. In order to claim an interest in collateral used for a loan and to have the claim indexed for public notice, secured parties must file financing statements with the Uniform Commercial Code section of the Business Services Division.

The Business Services Division is currently funded through a blend of GRF and rotary fund revenue. One half of the fees collected by the SOS's office are allocated to the Business Services Division. This split of fees is scheduled to sunset at the end of this fiscal year (FY 2001) and return to a level of approximately 15%. The second half of fees collected by the Business Services Division is transferred directly to the General Revenue Fund.

The Secretary of State's Business Services Division has established a goal of becoming a cash operating system. A prerequisite for that operating system model would be a change in law so that the Secretary of State retains 100% of fees collected through its Business Services Division. The desired 100% retention of fees is reflected in permanent law language in the FY2002-FY2003 biennium Budget Bill. This new funding model would not require the addition of new staff; and it could potentially lighten the workload placed upon the Secretary of State's Finance Director (due to a reduction in cash-distribution demands). A 100% retention of fees would reduce the Secretary of State's reliance on GRF funds by approximately 61%.

ADDITIONAL FACTS AND FIGURES

Secretary of State Staffing Levels						
					<i>Estimated</i>	
Secretary of State	1998	1999	2000	2001	2002	2003
Full-time Equivalent Employees	122	136	147	162	162	162
Totals	122	136	147	162	162	162

About 52% or 85 of all SOS personnel are projected to work exclusively in the Business Services program series in the FY2002 and FY2003 biennium. About 17% or 28 employees will work in the Elections Oversight and Administration program series. The other 31% or 49 employees will work in technology support or central administration positions, such as information technology or finance and legal, which support both program series (primarily the Business Services section).

During the 1990s the size of the Secretary of State's staff ranged from a low of 122 employees in 1998 to a high of 182 employees in 1990.

ANALYSIS OF EXECUTIVE PROPOSAL

Elections Oversight and Administration

Program Series 1

Purpose The Elections Oversight and Administration program series is responsible for overseeing, administering, and upholding Ohio’s elections’ laws. Through this program series, SOS also maintains certain required records on elections and other public documents

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels’.

Fund	ALI	Title	FY 2002	FY 2003
GRF	050-321	Operating Expenses	\$3,300,000	\$3,300,000
GRF	050-403	Election Statistics	\$146,963	\$154,882
GRF	050-407	Pollworkers Training	\$231,400	\$327,600
GRF	050-409	Litigation Expenditures	\$26,210	\$27,622
413	050-601	Information Systems	\$153,300	\$157,133
414	050-602	Citizen Education Fund	\$80,000	\$70,000
4B9	050-608	Campaign Finance Disk Sales	\$0	\$0
4S8	050-610	Board of Voting Machine Examiners	\$7,200	\$7,200
Total funding: Elections Oversight and Administration			\$3,945,073	\$4,044,437

Elections Oversight and Administration

Program Description: The Elections Oversight and Administration (EOA) program series oversees Ohio elections and supervises the 88 county boards of elections in their duties related to conducting elections. The Elections Division compiles and maintains election statistics, political party records, and other election-related records. Statewide candidates' campaign finance reports are filed with the office, together with the reports for state political action committees (PACs), state political parties and legislative caucus campaign committees.

EOA also licenses ministers to perform marriage ceremonies, registers alien land, and issues apostilles or certifications verifying signatures on documents going out of the country. All laws passed by the Ohio General Assembly, municipal charters, administrative rules adopted by agencies, and all executive orders issued by the Governor are filed with this office.

The Elections Oversight and Administration program series serves the Executive, Judicial, and Legislative branches of state government; candidates and others participating in Ohio elections; county boards of elections; and the general public. EOA operates under the authority of Section 111 and Chapter 35 of the Ohio Revised Code. The Secretary of State

* SOS is considered to be a single program agency by the executive branch and does not provide budget data broken out by the program series as presented here by LBO. Therefore, these figures represent LBO’s best estimate for the two program series.

was established as an elected office and as chief elections officer by the constitutional convention of 1851.

Funding Source: GRF and GSF moneys that come from fees charged to the public for certain records, voting machine examiner fees, and donations designated for elections education programs.

Line Items: 050-321, 050-403, 050-407, 050-409, 050-601, 050-602, 050-608, and 050-610

Implication of the Executive Recommendation: The Governor's recommended funding will allow SOS to continually improve ongoing information technology investments. The recommended funding will provide funding to train employees on using new software and computer hardware.

The recommended level will enable SOS to complete the network of the 88 county boards of elections, thus linking the SOS with all of Ohio's counties. This system continues to be the major initiative undertaken by SOS in this program series. The system will permit election statistics to be collected more efficiently and to post election results more quickly. Tens of thousands of hard copies of past campaign finance reports will also be digitized and put on CDs, allowing for easier access and reducing the space required to store these reports.

Part of the new election information system will consist of elections information databases that are searchable on-line. These databases will include:

- List of voter registration changes
- Master voter registration lists
- Precinct lists and election statistics
- Campaign finance filings
- Election results and polling place information

The Election Division will continue its implementation of electronic filing for campaign finance reports and will continue to expand the use of web-enabled technology and databases to make more information more widely available to the public.

Business Services

Program Series 2

Purpose This program series is responsible for licensing and record keeping regarding corporations and commercial transactions in Ohio.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	050-321	Operating Expenses	*	*
599	050-603	Business Services Operating Expenses	\$11,800,000	\$11,979,000
R01	050-605	Uniform Commercial Code Refunds	\$65,000	\$65,000
R02	050-606	Corporate/Business Filing Refunds	\$250,000	\$250,000
Total funding: Business Services			12,115,000	12,294,000

*Operating Services are shown under Elections Oversight and Administration, but are a shared expense with Business Services.

Business Services

Program Description: The Business Services program series receives and approves articles of incorporation for Ohio corporations and grants licenses to out-of-state corporations seeking to do business in Ohio. Limited partnerships and limited liability companies also must file.

The Corporations section of the Business Services Division, records amendments to filed corporate documents and keeps records of mergers, consolidations, and dissolutions of corporations in the state. The Corporate section approves and registers trademarks and trade names used by Ohio businesses. The Corporations section also keeps a registry of information about each corporation in Ohio. This program series employs about one-half or 68 of SOS’s 136 staff members.

The Business Services program series serves the legal, banking, and business communities and the general public. EOA operates under the authority of Section 111 and Chapter 35 of the Ohio Revised Code.

Funding Source: GRF and SSR moneys from filing, application, and record request fees charged to businesses and the public.

Line Items: 050-321, 050-603, 050-605, and 050-606

Implication of the Executive Recommendation: The Governor’s recommendation, along with permanent law changes described in the section below, will enable SOS to complete a major overhaul during the biennium of information technology systems used in its Business Services Division.

Funding will permit filing of required documents with SOS on-line. This should improve the efficiency of SOS operations and provide more access to these documents. For example, it currently takes 3.5 weeks to process an application to incorporate a business in Ohio. SOS expects such applications to be processed in 2-7 days after the Business Services computer system is overhauled.

Improvements to Business Service’s computer system constitute the main project and the main expense for the SOS, driving a 28% increase in FY 2000 over FY 1999 in the SOS budget.

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.

Permanent Law Provisions

Allocate 100% of corporate filing fees collected by SOS to Business Services operating expenses (ORC Section 111.18 and 1309.401)

Ohio Revised Code Sections 111.18 and 1309.401 would be changed pursuant to the enactment of the main budget bill of the 124th General Assembly so that the Secretary of State receives 100% of all filing fees. This change (from the current 50% allocation to GRF and 50% allocation to the Corporate and Uniform Commercial Code Filing Fund) would result in 100% of fees collected by the Secretary of State going into the Corporate and Uniform Commercial Code Filing Fund.

The Secretary of State would use the vast majority of the increased revenue to continue to overhaul the computer systems used by the Business Services Division.

Currently, the Secretary of State collects about 40 different filing fees, most of which are for various corporate and business filings processed through the Business Services Division. The new main budget bill creates some new fees, eliminates some current fees, and changes the amount of existing fees. Overall, the new fee structure would enable the Secretary of State's Business Services Division to operate as a self-funded entity.

Temporary Law Provisions

There are two temporary language changes that deal with the Secretary of State's Office:

- A provision affecting line item 050-610, Board of Voting Machine Examiners, makes additional appropriations, if necessary, automatically available. Line item 610 is fully funded by private moneys and is utilized to pay the expenses of the Board of Voting Machine Examiners for inspecting voting machines at the request of private parties. Any moneys not used by the board are refunded to the party seeking the inspection. This provision exists in Am. Sub. H.B. 283 of the 123rd General Assembly, the budget bill for the current biennium.
- A provision allowing additional appropriations, if necessary, to be automatically available for the Holding Account Distribution Funds. The appropriation items 050-605 and 050-606, Holding Account Redistribution Fund Group, are used to hold revenues until they are directed to the appropriate accounts or until they are refunded. This provision exists in Am. Sub. H.B. 283 of the 123rd General Assembly, the budget bill for the current biennium.

REQUESTS NOT FUNDED

The Secretary of State's budget request was fully funded.

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

<i>Fund ALI ALI Title</i>	Revised Estimated 2001	As Introduced 2002	House Passed 2002	% Change Est. 2001 to House 2002	As Introduced 2003	House Passed 2003	% Change House 2002 to House 2003
SOS Secretary of State							
GRF 050-321 Operating Expenses	\$9,861,135	\$ 3,300,000	\$ 3,300,000	-66.5%	\$ 3,300,000	\$ 3,300,000	0.0%
GRF 050-403 Election Statistics	\$147,000	\$ 146,963	\$ 146,963	0.0%	\$ 154,882	\$ 154,882	5.4%
GRF 050-407 Pollworkers Training	\$290,000	\$ 231,400	\$ 231,400	-20.2%	\$ 327,600	\$ 327,600	41.6%
GRF 050-409 Litigation Expenditures	\$20,401	\$ 26,210	\$ 26,210	28.5%	\$ 27,622	\$ 27,622	5.4%
General Revenue Fund Total	\$ 10,318,536	\$ 3,704,573	\$ 3,704,573	-64.1%	\$ 3,810,104	\$ 3,810,104	2.8%
413 050-601 Information Systems	\$150,000	\$ 153,300	\$ 153,300	2.2%	\$ 157,133	\$ 157,133	2.5%
414 050-602 Citizen Education Fund	\$30,000	\$ 80,000	\$ 80,000	166.7%	\$ 70,000	\$ 70,000	-12.5%
4B9 050-608 Campaign Finance Disk Sales	\$1,000	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
4S8 050-610 Voting Machine Examiners	\$7,200	\$ 7,200	\$ 7,200	0.0%	\$ 7,200	\$ 7,200	0.0%
5M3 050-604 Precinct Reimbursement Expense	\$500,000	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
General Services Fund Group Total	\$ 688,200	\$ 240,500	\$ 240,500	-65.1%	\$ 234,333	\$ 234,333	-2.6%
599 050-603 Business Svcs Opertng Expenses	\$5,200,000	\$ 11,880,000	\$ 11,880,000	128.5%	\$ 11,979,000	\$ 11,979,000	0.8%
5N9 050-607 Technology Improvements	\$0	\$ 120,000	\$ 120,000	N/A	\$ 121,000	\$ 121,000	0.8%
State Special Revenue Fund Group Total	\$ 5,200,000	\$ 12,000,000	\$ 12,000,000	130.8%	\$ 12,100,000	\$ 12,100,000	0.8%
R01 050-605 Uniform Commercial Code Refunds	\$65,000	\$ 65,000	\$ 65,000	0.0%	\$ 65,000	\$ 65,000	0.0%
R02 050-606 Corporate/Business Filing Refunds	\$335,000	\$ 185,000	\$ 185,000	-44.8%	\$ 185,000	\$ 185,000	0.0%
Holding Account Redistribution Fund Group Total	\$ 400,000	\$ 250,000	\$ 250,000	-37.5%	\$ 250,000	\$ 250,000	0.0%
.....							
Total All Budget Fund Groups	\$ 16,606,736	\$ 16,195,073	\$ 16,195,073	-2.5%	\$ 16,394,437	\$ 16,394,437	1.2%
.....							

General Revenue Fund

GRF 050-321 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$7,307,098	\$7,365,068	\$8,585,716	\$10,062,385	\$3,300,000	\$3,300,000
	0.8%	16.6%	17.2%	-67.2%	0.0%

Source: GRF

Legal Basis: ORC 3501.05

Purpose: To pay operating expenses for the Secretary of State

GRF 050-403 Election Statistics

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$183,107	\$127,306	\$79,962	\$150,000	\$146,963	\$154,882
	-30.5%	-37.2%	87.6%	-2.0%	5.4%

Source: GRF

Legal Basis: ORC 3503.27

Purpose: To pay costs associated with maintaining a master file of currently registered Ohio voters. Temporary law in Am. Sub. H.B. 171 of the 117th General Assembly expanded the use of this fund to pay expenses related to the electronic compilation of election statistics required by ORC 3505.33.

GRF 050-407 Pollworkers Training

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$77,508	\$166,000	\$174,227	\$290,000	\$231,400	\$327,600
	114.2%	5.0%	66.4%	-20.2%	41.6%

Source: GRF

Legal Basis: ORC 3501.27

Purpose: To reimburse county boards of elections for costs associated with pollworker training programs

GRF 050-409 Litigation Expenditures

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$16,067	\$39,222	\$26,750	\$26,751	\$26,210	\$27,622
	144.1%	-31.8%	0.0%	-2.0%	5.4%

Source: GRF

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A. (established by Controlling Board in June 1995)

Purpose: To pay legal expenses incurred by the Secretary of State in defending an action brought by Mallory et al. The case involves a dispute over the election of judges from at large districts and minority voting rights.

General Services Fund Group

413 050-601 Information Systems

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$185,536	\$130,850	\$157,356	\$150,000	\$153,300	\$157,133
	-29.5%	20.3%	-4.7%	2.2%	2.5%

Source: GSF: Payments for printed lists or computer tapes containing registered voter data

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A.

Purpose: To pay for the material and production costs for printouts and tapes containing voter registration data. Chapters 111 and 3517 of the Ohio Revised Code require the Secretary of State to collect and keep certain voter and elections data. Primary users of this data are state and local political parties and candidates, labor unions, associations, advertising agencies, and issue organizations.

414 050-602 Citizen Education Fund

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$74,430	\$16,652	\$9,650	\$30,000	\$80,000	\$70,000
	-77.6%	-42.0%	210.9%	166.7%	-12.5%

Source: GSF: Donations from private groups who agree to pay all or part of the costs for educational materials and services for specified voter education purposes

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A.

Purpose: To accept and disburse funds for preparing, printing, and distributing voter registration and educational materials and for conducting related workshops and conferences for public education

4B9 050-608 Campaign Finance Disk Sales

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$15	\$0	\$0	\$1,000	\$0	\$0
	-100.0%	N/A	N/A	-100.0%	N/A

Source: GSF: Payments for computerized campaign finance reports

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A.

Purpose: To fund the provision of computerized campaign finance information to the public

4S8 050-610 Voting Machine Examiners

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,493	\$1,196	\$3,822	\$7,200	\$7,200	\$7,200
	-52.0%	219.6%	88.4%	0.0%	0.0%

Source: GSF: Voting machine examiner fees charged to vendors of voting machines for certifying such machines

Legal Basis: ORC 3506.05 (established by H.B. 143 of the 120th G.A.)

Purpose: To pay for the operations of the Board of Voting Machine Examiners

5M3 050-604 Precinct Reimbursement Expense

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$500,000	\$0	\$0
	N/A	N/A	N/A	-100.0%	N/A

Source: GSF:

Legal Basis: Controlling Board

Purpose: To reimburse county boards of elections for costs of state Issue 1.

State Special Revenue Fund Group

599 050-603 Business Svcs Opertng Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,602,663	\$2,154,738	\$4,292,768	\$5,200,000	\$11,880,000	\$11,979,000
	34.4%	99.2%	21.1%	128.5%	0.8%

Source: SSR: Fees charged for corporate and Uniform Commercial Code filings

Legal Basis: ORC 1309.401

Purpose: To pay expenses related to both the processing of Uniform Commercial Code filings and the processing of filings related to corporations and partnerships. Previously, this line item was titled Corporations/UCC Filings.

5N9 050-607 Technology Improvements

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$0	\$120,000	\$121,000
	N/A	N/A	N/A	N/A	0.8%

Source: SSR:

Legal Basis: Main operating appropriations bill of the 124th General Assembly

Purpose: For the upkeep, improvement or replacement of equipment or for the purpose of training employees in the use of equipment used to conduct business under Section 1309.401 of the Revised Code (corporate and uniform commercial filing fund).

Holding Account Redistribution Fund Group

R01 050-605 Uniform Commercial Code Refunds

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$32,995	\$34,396	\$39,318	\$65,000	\$65,000	\$65,000
	4.2%	14.3%	65.3%	0.0%	0.0%

Source: 090: Uniform Commercial Code filing fees

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A.

Purpose: To hold moneys that may be subject to refund or returned to senders in regard to Uniform Commercial Code filings that are not recorded or for which overpayments of filing fees are received. The line item was originally part of the state Depository Trust Fund, which was abolished by Am. Sub. H.B. 201 of the 116th G.A. in 1985.

R02 050-606 Corporate/Business Filing Refunds

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$932,496	\$510,419	\$333,196	\$335,000	\$185,000	\$185,000
	-45.3%	-34.7%	0.5%	-44.8%	0.0%

Source: 090: Corporate/Business filing fees

Legal Basis: Am. Sub. H.B. 283 of the 123rd G.A.

Purpose: To hold moneys that may be subject to refund or returned to senders in regard to Corporation filings that are not recorded or for which overpayments of filing fees are received. The line item was originally part of the state Depository Trust Fund, which was abolished by Am. Sub. H.B. 201 of the 116th G.A.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Fee Schedule for Corporate and Business Filing Fees****section: 111.16**

Revises the required filing fees predominantly associated with corporate and business filings processed through the Secretary of State's Business Services Division.

Creates some new filing fees, eliminates some current fees, and for the majority of filing types, increases the amount of existing fees.

Establishes that fees may be accepted by credit card, in addition to cash, check, and money order.

This provision increases revenue to the Secretary of State.

No change.

Subject: Deposit of Fees into Corporate and Uniform Commercial Code Filing Fund**section: 111.18**

Allocates 100% of fees collected, including those paid by credit card, by the Secretary of State to the Corporate and Uniform Commercial Code Filing Fund (CUCCF) rather than the current 50/50 split between the GRF and the CUCCF.

This provision enables the Secretary of State to operate their Business Services Division as a self-funded entity.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

Subject: Expedited, Bulk, Alternative, and Title XVII Filings and Forms

sections: 111.23, 111.25, 1309.402

Requires the Secretary of State to establish and prescribe guidelines and fees for use of expedited filing service and for all filings with the Secretary of State under Title XVII.

Allows the Secretary of state to establish and prescribe guidelines and fees for bulk filing service and alternative filing procedures.

Requires the Secretary of State to prescribe forms for use in filings under Title XVII.

This provision adds costs of forms, however, costs are offset by filing revenue.

No change.

Subject: Expansion of Township Boards of Trustees for Eligible Home Rule Boards

section: 504.03

No provision.

Permits a limited home rule township to increase, in a specified manner, the number of members of its board of township trustees from the current permissible members to five members.

As Introduced

As Passed by the House

Permanent Law Changes

Subject: Calendar Year 2000 Pay Increase for Township Trustees and Township Clerks

section: 505.24

No provision.

Increases calendar year 2000 pay for township trustees and township clerks in townships with budgets of more than \$6 million. For townships with budgets between \$6 million and \$10 million, the pay for township trustees is raised from \$52 per day to \$70 per day, for no more than 200 days. For those townships with budgets greater than \$10 million, the pay is increased to \$90 per day for no more than 200 days. Increases from \$17,600 to \$20,900 the calendar year 2000 pay for township clerks. These increases will result in additional costs to local governments, depending on the number with budgets over \$6 million.

As Introduced

As Passed by the House

Permanent Law Changes

Subject: Distribution of Fees Collected under Secured Transaction Law to CUCCF Fund

sections: 1309.40, 1309.42

Revises the distribution of fees for filing, indexing, copying, and handling administration of secured transactions so that 100% of fees are deposited into the CUCCF Fund instead of the current 50/50 split between the CUCCF and the GRF.

No change.

The operations of the Secretary of State, other than the Division of Elections, may be fiscally supported by revenues from security and transaction fees.

Subject: Secretary of State's Business Technology Fund

section: 1309.401

Requires that the Business Technology Fund will receive 1% of the money credited to the CUCCF to be used for the purpose of training employees in the use of equipment and to conduct the Secretary of State's business under Title XIII or XVII of the Revised Code.

No change.

The operation of the Secretary of State, other than the Division of Elections, may be fiscally supported by revenue from secured transaction fees.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Foreign Nonprofit Corporation Filing Requirements****sections: 1703.041, 1703.27**

Requires the Secretary of State to provide a form for filing changes to the name or address of an agent or for the revocation of an agent who represents a foreign corporation for profit.

Requires the Secretary of State to provide a form for the filing of any changes in information on the required certificate that authorizes a foreign nonprofit corporation to exercise its corporate privileges in Ohio.

This provision adds materials and administration costs to the Secretary of State's operation of its Business Services Division.

No change.

As Introduced

As Passed by the House

Permanent Law Changes

Subject: Domestic and Foreign Limited Liability Company and Partnership Provisions

**sections: 1705.55, 1775.63, 1775.64, 1782.04, 1782.08,
1782.09**

Requires the Secretary of State to provide a form for the filing of changes to the name or address of an agent or the revocation of an agent who represents a foreign limited liability company or a limited liability partnership.

No change.

Changes the cycle for the required filing of a verification and information report for a domestic limited liability partnership or foreign registered limited liability partnership from the current annual filing to a biennial filing during July in odd-numbered years.

Removes the provision specifying that the Secretary of State must cancel the registration of the limited liability company when that company fails to file an annual report as described above.

Prohibits the Secretary of State from accepting the filing of a limited liability partnership unless the signatures that are presented represent the agreement of both parties (general partners or their agents) in the partnership; and in the case of an agent, a written appointment (designated by the signatures of an authorized officer or general partner of the limited partnership) of that agent is filed.

Allows an agent of a limited liability company or limited liability partnership to resign by filing a form prescribed by

As Introduced**As Passed by the House****Permanent Law Changes**

the Secretary of State.

Allows for the revocation of an agent by filing the revocation with the Secretary of State on a form prescribed by the Secretary of State.

This provision adds administrative costs to the Secretary of State's operation of its Business Services Division.

As Introduced

As Passed by the House

Temporary Law Changes**Subject: Board of Voting Machine Examiners****Section: 95****ALI: 050-610**

Requires appropriation item 050-610, Board of Voting Machine Examiners, be used to pay for the services and expenses of board members and the board's authorized services from the Board of Voting Machine Examiners Fund. Moneys not used are to be returned to the person or entity submitting the equipment for examination. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 102

No change.

Subject: Holding Account Redistribution Group**Section: 95****ALIs: 050-605, 050-606**

Requires the holding of revenues in appropriation items 050-605 and 050-606, the Holding Account Redistribution Fund Group, until they are directed to the appropriate accounts or until they are refunded. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Section: 102

No change.