

Greenbook
LSC Analysis of Enacted Budget

Ohio Elections Commission

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ATTACHMENT:

Budget Spreadsheet By Line Item

Ohio Elections Commission

- Total recommended budget of over \$1.25 million over the FY 2018-FY 2019 biennium
- Approximately 67.8% of funding from the GRF

OVERVIEW

Agency 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 Chapter 3517. of the Revised Code. The Commission issues advisory opinions on campaign finance questions, responds to questions about campaign activities, and acts as an enforcement body and customer service center for the policing of campaign activities. Hearings before the Commission typically entail complaints brought against individual candidates, campaign committees, political action committees, or corporations that are required to file financial reports. The Commission also handles cases dealing with various nondisclosure issues. Generally, ELC handles between 800 and 1,000 cases annually. The Commission consists of seven appointed members including three Republicans, three Democrats, and one Independent. The Commission employs a staff of three people, including an executive director, an executive assistant, and an administrative assistant who works on a part-time basis.

Appropriation Overview

Fund Group	FY 2017*	FY 2018	% change, FY 2018-FY 2019	FY 2019	% change, FY 2018-FY 2019
General Revenue	\$1,806,145	\$418,613	(76.8)%	\$435,221	4.0%
General Services	\$223,571	\$199,460	(10.8)%	\$199,460	0.0%
TOTAL	\$2,029,716	\$618,073	-69.6%	\$641,309	2.7%

*FY 2017 figures represent actual expenditures.

As the table above shows, under H.B. 49 the appropriated funding for the Commission is \$618,073 in FY 2018 and \$641,309 in FY 2019, substantially lower compared to FY 2017 spending of just under \$2.1 million overall. The difference between FY 2017 and FY 2018 is mostly attributable to legal settlements of approximately \$1.4 million stemming from two judgements that were paid from the GRF during FY 2017, one to pay attorney's fees for the Susan B. Anthony List in a

candidate false statement case, and another to pay attorney's fees for the Coalition Opposed to Additional Spending and Taxes in a false ballot issue statement case.

Under the budget, 67.8% of ELC's funding comes from the GRF, with the remainder coming from the Ohio Elections Commission Fund (Fund 4P20), which receives a portion of filing fees for petitions of candidacy collected by the Secretary of State, including races for statewide offices and ballot issues, races for Ohio House and Senate seats, and penalties imposed by the Commission. Generally, Fund 4P20 receives approximately \$300,000 in even-numbered fiscal years and \$100,000 in odd-numbered fiscal years from these filing fees and fines, primarily because most candidate election cycles occur in even-numbered years. However, elections in some even-numbered years generate more revenue than others, depending on the timing of particular four-year election cycles. Table 2 below shows these fees and the portion deposited into Fund 4P20. The other portion goes to the GRF.

Table 2. Statutory Fees for Elections Filings		
Elective Office	Amount	Portion to Fund 4P20
Statewide Elective Offices, including Supreme Court	\$150	\$50
State Board of Education	\$55	\$35
Judge	\$80	\$30
District – State Legislators, U.S. Representatives	\$85	\$35
City	\$45	\$25
County	\$80	\$30
Township and Village	\$30	\$20
School Board and Educational Service Center	\$30	\$20
Questions and Issues		
Statewide	\$25	\$25
City	\$12.50	\$12.50
County or Multi-County District	\$15	\$15
Precinct or Sub-County District	\$10	\$10
School Board/Educational Service Center	\$10	\$10

ANALYSIS OF ENACTED BUDGET

Appropriations for the Ohio Elections Commission				
Fund	ALI and Name		FY 2018	FY 2019
General Revenue Fund				
GRF	051321	Operating Expenses	\$418,613	\$435,221
General Revenue Fund Subtotal			\$418,613	\$435,221
Dedicated Purpose Fund Group				
4P20	051601	Operating Support	\$199,460	\$199,460
Dedicated Purpose Fund Group Subtotal			\$199,460	\$199,460
Total Funding: Ohio Elections Commission			\$618,073	\$634,681

Operating Expenses (051321)

This GRF line item is used to pay the personnel, maintenance, and equipment costs of the Commission. The budget funds this line item at \$418,613 in FY 2018, a 27.6% jump compared to FY 2017 spending of \$328,145, and provides for a modest increase to \$435,221 in FY 2019. However, it should be noted that this increase of just more than \$90,000 in recommended GRF funding between FY 2017 and FY 2018 is in conjunction with a decrease of approximately \$30,000 in funding from the Ohio Elections Commission Fund (Fund 4P20) due to the dwindling cash balance available in that fund.

ELC is governed by a seven-member board whose salaries are set in accordance with R.C. 3517.152. That section fixes the salary for appointed Commission members at \$25,000 and provides for members to be reimbursed for expenses. ELC employs three administrative staff: (1) an executive director who also serves as the staff attorney, (2) an executive assistant, and (3) an administrative assistant. The administrative assistant works on a part-time basis.

Operating Support (051601)

The budget funds this line item at \$199,460 in each fiscal year of the FY 2018-FY 2019 biennium, a decrease of 10.8% from FY 2017 spending of \$223,571. This line item is used to supplement funding for the Commission's operating expenses. The revenue supporting this appropriation is derived from (1) a portion of the fees collected for petitions of candidacy for various political offices, (2) fees collected for filing petitions for ballot questions and issues, and (3) fines for various campaign violations that are deposited into Fund 4P20. The July 2017 cash balance of Fund 4P20 was approximately \$47,831. In FY 2016, Fund 4P20 collected \$321,540. The amount collected in FY 2017 was \$80,061.

FY 2018 - FY 2019 Final Appropriation Amounts

All Fund Groups

Line Item Detail by Agency

			FY 2016	FY 2017	Appropriation FY 2018	FY 2017 to FY 2018 % Change	Appropriation FY 2019	FY 2018 to FY 2019 % Change
Report For Main Operating Appropriations Bill			Version: As Enacted					
ELC Ohio Elections Commission								
GRF	051321	Operating Expenses	\$ 335,690	\$ 328,145	\$ 418,613	27.57%	\$ 435,221	3.97%
GRF	051602	False Statement Judgments	\$0	\$ 1,478,000	\$ 0	-100.00%	\$ 0	N/A
General Revenue Fund Total			\$ 335,690	\$ 1,806,145	\$ 418,613	-76.82%	\$ 435,221	3.97%
4P20	051601	Operating Support	\$ 256,276	\$ 223,571	\$ 199,460	-10.78%	\$ 199,460	0.00%
Dedicated Purpose Fund Group Total			\$ 256,276	\$ 223,571	\$ 199,460	-10.78%	\$ 199,460	0.00%
Ohio Elections Commission Total			\$ 591,965	\$ 2,029,716	\$ 618,073	-69.55%	\$ 634,681	2.69%