
SECRETARY OF STATE

- Removes from the statement that a foreign nonprofit corporation must submit to the Secretary of State in order to obtain a certificate of authority the statutory requirement that the statement set forth the location of the corporation's principal office in Ohio.
- Specifies that the \$5 fee the Secretary of State may charge for service of process is per address served.
- Requires grants the Secretary of State receives from the U.S. Election Assistance Commission, other than through the Help America Vote Act, to be deposited in the Miscellaneous Federal Grants Fund and spent in accordance with the grant agreement.

Foreign nonprofit corporation certificate of authority

(R.C. 1703.27)

Under current law, a foreign nonprofit corporation is prohibited from exercising its corporate privileges in Ohio until it receives a certificate authorizing it to do so from the Secretary of State. In applying for the certificate, the foreign nonprofit corporation must provide a statement setting forth specified information, including the location of its principal office in Ohio and the appointment of a designated agent. The bill removes the requirement to list an Ohio office and clarifies that the appointment of the agent must comply with the designated agent provisions that apply to foreign nonprofit corporations.

Service of process fees

(R.C. 111.16)

The bill specifies that the \$5 fee the Secretary of State may charge for service of process is charged per address served. All Ohio businesses are required to have an agent for receiving official and legal documents, and that agent's contact information is required to be registered with the Secretary of State. If a person sues a business, notice of that fact is served to the agent at the registered address. If the agent cannot be reached, the person seeking to sue can deliver the notice to the Secretary of State, who will serve the notice to various last-known addresses of the business (such as the address in the business's most recent tax filings). The bill clarifies that the charge for this service is \$5 for each of these addresses.

Federal grants

(R.C. 111.28)

The bill requires any federal grants the Secretary of State receives from the U.S. Election Assistance Commission (EAC), other than for purposes established under the federal Help America Vote Act (HAVA), to be deposited in the Miscellaneous Federal Grants Fund instead of the HAVA Fund.

Currently, any federal grants from the EAC are placed in the HAVA Fund, even if they are not related to HAVA. The HAVA Fund is used for activities conducted pursuant to HAVA, while the Miscellaneous Federal Grants Fund is used according to the applicable federal grant agreements under other federal programs.