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Ohio Administrative Code

Rule 111:2-1-02 Definitions.

Effective: November 8, 2026

As used in Chapter 3517. of the Revised Code and in rules set forth in Chapters 111:2-1 to 111:2-5 of the Administrative Code:

(A) In-kind contribution includes the provision of goods or services without charge or at a charge which is less than the usual and normal charge for such goods or such services. If goods or services are provided at less than the usual and normal charge, the amount of the in-kind contribution is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the committee, party or fund.

(B) "Usual and normal charge for goods" means the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution; and "usual and normal charge for services", other than those provided by an unpaid volunteer, means the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered.

(C) "Membership association" means a membership organization, trade association, cooperative, corporation without capital stock, political contributing entity, or a local, national or international labor organization that has all or a majority of the following characteristics:

(1) Is composed of members, some or all of whom are vested with the power and authority to operate or administer the association, pursuant to the association's articles, bylaws, constitution, or other formal organizational documents;

(2) Expressly states the qualifications and requirements for membership in its articles, bylaws, constitution, or other formal organizational documents;

(3) Makes its articles, bylaws, constitution, or other formal organizational documents available to its members upon requests;

(4) Expressly solicits persons to become members;

(5) Expressly acknowledges the acceptance of membership, such as by sending a membership card or including the member's name on a membership newsletter list.

(D)

(1) "Member" means all persons who are currently satisfying the requirements for membership in a membership association, affirmatively accept the membership association's invitation to become a member, and who do any of the following:

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(a) Have some significant financial attachment to the membership association, such as a significant investment or ownership stake;

(b) Pay membership dues, at least annually, of a specific amount predetermined by the association;

(c) Have a significant organizational attachment to the membership association which includes affirmation of membership on at least an annual basis and direct participatory rights in the governance of the association. For example, such rights could include the right to vote directly or indirectly for at least one individual on the membership association's highest governing board, the right to vote on policy questions where the highest governing body of the association is obligated to abide by the results, the right to approve the association's annual budget, or the right to participate directly in similar aspects of the association's governance.

(2) Notwithstanding the requirements for establishing membership, members of a local labor union are considered to be members of any national or international labor union of which the local labor union is a part and of any federation with which the local, national, or international labor union is affiliated.

(3) In the case of a membership association that has a national federation structure or has several levels, including for example, national, state, regional, and/or local affiliates, a person who qualifies as a member of any entity within the federation or of any affiliate by meeting the requirements for establishing membership shall also qualify as a member of all affiliates.

(4) Notwithstanding the requirements for establishing membership, the Ohio election integrity commission may determine, on a case-by-case basis, that persons who do not precisely meet those requirements but have a relatively enduring and independently significant organizational or financial attachment to the membership may be considered members. For example, student members who pay a lower amount of dues while in school, long term dues-paying members who qualify for lifetime membership status with little or no dues obligation, and retired members may be considered members of the organization.

(E) "Stockholder" or "shareholder" means a person who has a vested beneficial interest in stock, has the power to direct how that stock shall be voted, if it is voting stock, and has the right to receive dividends.

(F) "Occupation" means the principal job title or position of an individual and whether or not self-employed.

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(G) "Employer" means the organization or person by whom an individual is employed, and not the name of his or her supervisor.

(H)

(1) "Affiliation" means with respect to all political action committees and political contributing entities:

(a) Political action committees, established, financed, maintained or controlled by the same corporation, organization, labor organization, continuing association or other person, including any parent, subsidiary, branch, division, or department, of that corporation, organization, labor organization, continuing association or other person.

(b) Political contributing entities established, financed, maintained or controlled by, or that are the same, corporation, organization, labor organization or other person, including any parent, subsidiary, branch, division, or department, of that corporation, organization, labor organization or other person.

(c) Political action committees and political contributing entities established, financed, maintained or controlled by, or that are the same, corporation, organization, labor organization, continuing association or other person, including any parent, subsidiary, branch, division, or department, of that corporation, organization, labor organization, or other person.

(2) "Affiliation" means for purposes of sharing a single contribution limit under section 3517.102 of the Revised Code with respect to political action committees and political contributing entities:

(a) Political action committees sharing a single contribution limit under section 3517.102 of the Revised Code include all political action committees, established, financed, maintained, or controlled by:

(i) A single corporation and its subsidiaries;

(ii) A single national or international labor union and its local labor unions or other subordinate organizations;

(iii) An organization of national or international labor unions and all its state and local central bodies;

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(iv) A membership association, other than a political action committee, including trade or professional associations, and related state and local entities of that organization or group;

(v) The same person or group of persons;

(vi) A continuing association;

(vii) The same political contributing entity.

(b) Political contributing entities sharing a single contribution limit under section 3517.102 of the Revised Code include all political contributing entities established, financed, maintained, or controlled by:

(i) A single corporation and its subsidiaries;

(ii) A single national or international labor union and its local labor unions or other subordinate organizations;

(iii) An organization of national or international labor unions and all its state and local central bodies;

(iv) A membership association, other than a political action committee, including trade or professional associations, and related state and local entities of that organization or group; or

(v) The same person or group of persons

(3) The Ohio election integrity commission and the secretary of state for purposes of referral to the Ohio election integrity commission may examine the relationship between organizations, entities, committees, or funds that sponsor committees, between the committees themselves, or between one sponsoring entity or organization and a committee established by another entity or organization to determine whether committees or entities are affiliated.

(4) In determining whether committees or entities not described in paragraph (H)(2) of this rule are affiliated, the Ohio election integrity commission and the secretary of state will consider the following circumstantial factors in the context of the overall relationship between committees or sponsoring organizations or entities:

(a) Whether a sponsoring organization owns controlling interest in the voting stock or securities of the sponsoring organization of another committee;

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(b) Whether a sponsoring organization, committee, or entity has the authority or ability to direct or participate in the governance of another sponsoring organization, committee, or entity through provisions of constitutions, by-laws, contracts, or other rules, or through formal or informal practices, or procedures;

(c) Whether a sponsoring organization, committee or entity has the authority or ability to hire, appoint, demote, or otherwise control the officers, or other decision making employees or members of another sponsoring organization, committee, or entity;

(d) Whether a sponsoring organization, committee, or entity has a common membership with another sponsoring organization, committee, or entity;

(e) Whether a sponsoring organization, committee, or entity has common officers or employees with another sponsoring organization, committee, or entity;

(f) Whether a sponsoring organization, committee, or entity provides funds in a significant amount or on an ongoing basis to another sponsoring organization, committee, or entity, such as through direct or indirect payments for administrative, fund-raising, or other costs, but not including the transfer to a committee of its allocated share of proceeds jointly raised;

(g) Whether a sponsoring organization, committee, or entity causes or arranges for funds in a significant amount or on an ongoing basis to be provided to another sponsoring organization, committee, or entity, but not including the transfer to a committee of its allocated share of proceeds jointly raised; or

(h) Whether the sponsoring organization, committee, or entity have similar patterns of contributions or contributors which indicate a formal or ongoing relationship between the sponsoring organization, committee, or entity.

The Ohio election integrity commission and the secretary of state for purposes of referral to the Ohio election integrity commission will examine these factors in the context of the overall relationship between committees, sponsoring organizations, or entities to determine whether the presence of any factor or factors is evidence of one committee, sponsoring organization, or entity having been established, financed, maintained, or controlled by another committee or sponsoring organization.

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(I) "Solicitation" for purposes of sections 3517.082, 3517.09, 3517.092 and 3599.031 of the Revised Code shall mean an oral or written request for a contribution.

Examples of a solicitation include directly or indirectly asking a person for a monetary or an in-kind contribution.

(J) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. In addition, "political contributing entity" does not include professional associations under Chapter 1785. of the Revised Code, limited liability companies under Chapter 1705. of the Revised Code or partnerships as defined in Chapters 1776. to 1783. of the Revised Code.

(K)

(1) In determining whether a purpose is a "primary or major purpose" as used in the definition of "political action committee" under section 3517.01 of the Revised Code, the following shall be considered:

(a) Whether the combination of two or more persons receives money or any other thing of value in a common account for the specific purpose of supporting or opposing any candidate, political party, legislative campaign fund, political action committee, political contributing entity, or ballot issue;

(b) Whether the combination of two or more persons has or will make a continuing pattern of expenditures from a common account to support or oppose any candidate, political party, legislative campaign fund, political action committee, political contributing entity, or ballot issue;

(c) Whether the combination of two or more persons constitutes an entity that was not in existence prior to supporting or opposing any candidate, political party, legislative campaign fund, political action committee, political contributing entity, or ballot issue;

(d) Whether the total dollar value of the combination of two or more persons' activity described in paragraphs (K)(1)(a), (K)(1)(b) and (K)(1)(c) of this rule during a calendar year exceeds one hundred dollars.

(2) As used in this paragraph, "combination of two or more persons" does not include two or more persons making individual contributions to any campaign committee, political party, legislative campaign fund, political action committee, political contributing entity, or ballot issue.

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(L) As provided in division (B)(8)(b) of section 3517.01 of the Revised Code, a political club that is formed primarily for social purposes and that meets the following criteria, is not a "political action committee" as defined by division (B)(8) of section 3517.01 of the Revised Code:

(1) Consists of one hundred members or less; and

(2) Has officers; and

(3) Periodic meetings; and

(4) Has less than two thousand five hundred dollars in its treasury at all times; and

(5) Makes aggregate total contribution(s) of one thousand dollars or less per calendar year.