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Ohio Administrative Code

Rule 111:2-4-18 Political communications.

Effective: November 8, 2026

(A) The following articles are exempted from the disclaimer or identification requirements of section 3517.20 of the Revised Code:

(1) Badges or buttons that have a pin or clasp backing for attaching to clothing;

(2) Balloons;

(3) Cups and mugs;

(4) Combs;

(5) Emery boards;

(6) Key tags, key rings, or key fobs;

(7) Lapel pins, charms, tie tacks, rings, and other items of jewelry;

(8) Letter openers;

(9) Pencils;

(10) Pens;

(11) Standard measuring rulers not more than twelve inches long;

(12) Sponges;

(13) Golf balls and golf tees;

(14) Insulated beverage sleeves;

(15) Tee shirts, caps, hats, facial coverings, and other articles of clothing;

(16) Individually wrapped candy;

(17) Magnets measuring two and one-half inches by three inches or less, or seven and one-half square inches or less, or three inches in diameter or less;

(18) Stickers, labels, decals, or any other printed material with an adhesive back measuring two and one-half inches by three inches or less, or seven and one-half square inches or less, or three inches in diameter or less.

(19) Plastic discs, designed to be sailed with a flip of the wrist for recreation or competition;

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(20) Plastic bags;

(21) Plastic or wooden sticks manufactured for the purpose of stirring paint;

(22) Flyswatters;

(23) Chip clips;

(24) Banners that are towed by an aircraft in flight

(25) Status updates or messages posted on a social media website where a home page for the committee exists that properly identifies the committee.

(26) Text message communications, including those consisting of text, images, or video, provided that the text, image or video communication includes a proper disclaimer.

(B) Specific exemptions for articles not listed above may be obtained by sending a written request via electronic mail or to the "Office of the Secretary of State, Campaign Finance Division, 180 Civic Center Drive, Columbus, Ohio 43215-3668." A request for a specific exemption must contain a complete description of the article to be exempted, including a photocopy or other reproduction of the article and the exact dimensions of the article, a brief statement explaining why the exemption should be granted, and the address and telephone number of the person making the request.

(C) Specific exemptions may be granted to articles similar to those listed in paragraph (A) of this rule, the size or nature of which makes it unreasonable to add a disclaimer.

(D) Specific exemptions will not be granted to printed political communications such as placards, posters, signs, newspaper and magazine advertisements, match books, billboards, flyers, handbills, or business cards or any other printed material measuring more than two and one-half by three inches, or more than seven and one-half square inches, or more than three inches in diameter.

(E) When a campaign committee makes a political communication, as defined in section 3517.20 of the Revised Code, using items that are, and will be reported as, in-kind contributions received from an individual or other entity, the use of the recipient candidate's campaign committee full disclaimer will fully satisfy the disclaimer requirement of section 3517.20 of the Revised Code.

(F) A political communication that initially fails to include the disclaimer required by section 3517.20 of the Revised Code shall not be considered a violation of that section or of this rule if the communication was directed to a specific and identifiable group of individuals and, upon discovering the omission, the person or entity

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responsible for the communication resends or redistributes the communication to substantially the same group of individuals using the same or a substantially similar method of communication, and the resent or redistributed communication includes the required disclaimer and is made within a reasonable period of time after the omission is discovered. This paragraph applies only where the initial failure to include the disclaimer was not knowing, intentional, or made with reckless disregard of the disclaimer requirement, and where the resent or redistributed communication is reasonably calculated to reach the individuals who received the original communication.

(1) For purposes of this paragraph, a "reasonable period of time" shall be determined on a case-by-case basis. In general, compliance within seven days shall be presumed reasonable for text messages, electronic mail, or similar electronic communications, and for correcting posted signage, and compliance within thirty days shall be presumed reasonable for communications sent via ordinary mail, unless the facts and circumstances demonstrate that a shorter or longer period is appropriate.

(2) The person or entity asserting this paragraph bears the burden of demonstrating compliance with its requirements.