



Ohio Administrative Code

Rule 3517-1-14 Penalties.

Effective: [March 25, 2022](#)

(A) Good cause.

Upon review of the evidence before it, the commission may find that a violation of Ohio election law has occurred, but that good cause has been shown for the commission not to impose a fine or refer the matter for prosecution.

(B) Fines.

(1) Fines may be imposed by the commission when it has found a violation of sections 3517.08 to 3517.13, 3517.17 of the Revised Code in the following amounts and manner:

(a) Failure to file, late filing or filing incomplete or inaccurate campaign finance reports (division (A), (B), (C), (D) or (E) of section 3517.13 of the Revised Code) \$15 - 100/day

(b) Failure to file, late filing or filing incomplete or inaccurate designation of treasurer (section 3517.081 of the Revised Code) or statement of contributions or expenditures (division (D) of section 3517.10 of the Revised Code) \$15 - 500/day

(c) Having more than one campaign committee (section 3517.081 of the Revised Code) \$15 - 500/day

(d) Concealing or misrepresenting a contribution or expenditure (division (G) of section 3517.13 of the Revised Code) \$100 - 1000

(e) Unlawful use of gifts to a political party (division (G) of section 3517.101 of the Revised Code) 1-2 times the amount of the gift

(f) Failure to file, late filing or filing incomplete or inaccurate issue petition circulator's statement of



contributions and expenses (division (U) of section 3517.13 of the Revised Code)
..... \$15 - 250

(g) Cash contribution over one hundred dollars per election (division (F) of section 3517.13 of the Revised Code) 1-3 times the amount of contribution

(h) Unlawful advertising rate (division (H) of section 3517.13 of the Revised Code)
..... \$50 - 100

(i) Awarding government contract(s) to a contributor (divisions (I) and (J) of section 3517.13 of the Revised Code) \$100 - 1,000

(j) Unlawful solicitation of any person (section 3517.09 and section 3517.092 of the Revised Code)
..... \$50 - 1,000

(k) Failure to file, late filing or filing an incomplete or inaccurate report of gifts received by a political party (divisions (F)(1) and (F)(2) of section 3517.101 of the Revised Code)
..... \$15 - 10,000

(l) Unlawful reimbursement, acceptance, use, or conversion of anything of value from a campaign fund or political party (divisions (O), (P), and (Q) of section 3517.13 of the Revised Code)
..... \$50 - 1,000

(m) Making a contribution or knowingly contributing in an amount greater than the statutory limitations (divisions (B) and (C) of section 3517.102 of the Revised Code) 1-3 times the amount of the contribution

(n) A legislative campaign fund that improperly maintains an amount in excess of the statutory limitations (division (F)(2) of sections 3517.102 of the Revised Code)
..... \$25/day

(o)



(p) Failure to comply with the requirements established for independent campaign expenditures (section 3517.105 of the Revised Code) \$15 - 1000

(q) Unlawful acceptance of a contribution from a state employee (division (B) or (C) of section 3517.092 of the Revised Code) 1-2 times the amount of the contribution, plus the return of the contribution

(r) Unlawful transfer from one restricted account to another, of a campaign committee, political party or legislative campaign fund (divisions (S) and (T) of section 3517.13 of the Revised Code) 1-3 times the amount of the transfer, whether funds or assets

(s) For any violation of the restrictions on the solicitation of funds for payment of debt from a prior period (section 3517.108 of the Revised Code) 1-3 times the amount of the solicitation

(2) A fine imposed by the commission for a violation of section 3517.20 of the Revised Code shall be not less than twenty-five nor more than five-hundred dollars.

(3) Fines may be imposed by the commission when it has found a violation of section 3599.03 or 3599.031 of the Revised Code in the following amounts and manner:

(a) Use of any money or property of a corporation, non profit corporation, or labor organization to or for the benefit or, or in opposition to, a political party, a candidate, a legislative campaign fund, a political action committee, or any organization that supports or opposes a candidate or any other act in violation of section 3599.03 of the Revised Code (division (A) or (B) of section 3599.03 of the Revised Code) \$100 - 5000

(b) Any deduction or disbursement of funds without proper authorization or any other act in violation of section 3599.031 of the Revised Code (division (G) of section 3599.031 of the revised code) \$50 - 500

(4) Fines imposed by the commission for violations which occurred prior to August 24, 1995 shall be made by using the schedule in paragraph (B)(1) of this rule but no fine shall be imposed which



exceeds the maximum fine amount as outlined in the pertinent section of the Revised Code which was in effect at the time of the violation.

(5) In determining the amount of a fine and whether to impose the maximum or minimum penalty allowable, the commission shall take into consideration, but shall not be controlled by, the following:

- (a) Prior violations of Title XXXV of the Revised Code by the party before the commission;
- (b) Whether such actions were knowing or purposeful;
- (c) Whether the required filing has been made with the proper filing office, and the promptness of the filing;
- (d) Any outstanding fines for a violation of Title XXXV of the Revised Code;
- (e) The nature and circumstances of the violation and whether the nature and circumstances of the violation tend to excuse or justify the violation, regardless of whether the nature or circumstances establish a defense to the violation;
- (f) Whether the violation occurred during the course of a campaign and was to have been reported prior to the day of the election; or

In addition, the commission may, but is not required to, consider prior penalties imposed by this commission involving similarly situated parties where the circumstances would make such consideration appropriate..

(6)

(a) Fines by the commission for violations by a candidate's campaign committee or treasurer shall be imposed jointly on the campaign committee, the treasurer and the candidate.

(b) Fines by the commission for violations by a political committee or political party, or its treasurer, shall be imposed jointly on the political committee or political party and the responsible treasurer or



other responsible individual that is before the commission.

(c) Fines by the commission may be imposed separately on the campaign committee, political action committee, political party, legislative campaign committee, or other committee or organization, and on any individual that the commission finds to have committed the violation, if sufficient evidence is presented that would establish that the violation may be imposed on less than all parties to the case.

(d) In all cases, fines may only be imposed against persons who are respondents before the commission.

(7)

(a) Any fine imposed by the commission shall be paid no later than thirty days after the written notice thereof is mailed to the respondent.

(b) Payment shall be made at the commission's office in person or by mail. Checks shall be made payable to the "Ohio Elections Commission." Such fines paid to the commission shall be deposited in the Ohio elections commission fund of the state of Ohio.

(c) If a fine is not paid, the matter shall be referred to the Ohio attorney general for collection. Staff attorney to the commission shall take any action necessary and work with the attorney general in furtherance of the interests of the commission to reconcile any case which commission staff has referred for collection.

(C) Referral to prosecutor.

When the commission finds a violation, by the appropriate evidentiary standard, of sections 3517.081 to 3517.13, 3517.17, 3517.20 to 3517.22, 3599.03, and 3599.031 of the Revised Code, it may refer the matter to the appropriate county prosecutor. The appropriate county prosecutor is:

(1) In cases where the filings required under division (A) of section 3517.11 of the Revised Code are to be made with the secretary of state, the prosecuting attorney of Franklin county;



(2) In all other cases, either

(a) The prosecuting attorney of Franklin county; or

(b) If the candidacy or ballot issue is submitted to the electorate in a single county, the prosecuting attorney of that county; or

(c) If the candidacy or ballot issue is submitted to the electorate in a multi-county district, the prosecuting attorney of the same county in which the petitions or documents relating to the candidacy or ballot issue were filed with the board of elections for that multi-county district.

(D) In any case before the commission wherein a party has committed a violation but the commission has determined that good cause exists not to impose a fine or refer the matter for prosecution, the commission may issue a public reprimand which shall include but not be limited to statements made by the commission members at the meeting at which the decision of a case is announced.