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ADVISORY NO. 2007-11
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To: All County Boards of Elections

Re: Mailing of Campaign Finance Statements for General Assembly and Court of Appeals Candidates

The Ohio General Assembly recently amended two sections in Ohio's campaign finance law concerning the method a board of elections must use to send certain campaign finance statements to the Secretary of State. In short, the law now requires that a board of elections send copies of campaign finance statements for the office of member of the Ohio General Assembly or judge of the court of appeals by **certified mail**, rather than the Fed Ex delivery method previously established by the Secretary of State's office.

Under Revised Code sections 3517.106 and 3517.11, campaign finance statements for the office of member of the Ohio General Assembly or judge of a court of appeals may be filed with the Secretary of State or the appropriate board of elections. If the total amount of the contributions received by the campaign committee for the applicable reporting period exceeds \$10,000, the campaign committee must file the statement electronically with the Secretary of State. If the total amount of contributions received by the campaign committee for the applicable period is less than \$10,000, the campaign committee may either file the statement electronically with the Secretary of State or file two printed versions of the report with the appropriate board of elections. If the campaign committee files printed versions with the appropriate board of elections, the board of elections has the statutory duty to send one copy of the statement to the Secretary of State before the close of business on the day the board of elections receives the statement.

Am Sub HB 119

Amended Substitute House Bill 119, which became effective on September 29, 2007, amends boards of elections' prescribed delivery method for sending General Assembly and appellate court judge candidates' and incumbents' statements to the Secretary of State. A board of elections must now send one copy of the printed version by **certified mail**, rather than overnight delivery. Specifically, Amended Substitute House Bill 119 made the following changes to R.C. 3517.106(F)(2) and R.C. 3617.11(A)(2)(b):

Sec. 3517.106. (F)(2) If a statement, addendum, or amended statement is not filed by electronic means of transmission to the office of the secretary of state but is filed by printed version only under division (A)(2) of section 3517.11 of the Revised Code with the appropriate board of elections, the campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of the statement, addendum, or amended statement with the board of elections. The board of elections shall send one of those copies

by ~~overnight delivery service~~ certified mail to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

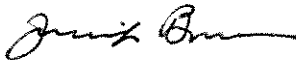
Sec. 3517.11. (A)(2) (b) A campaign committee of a candidate for office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of any statement, addendum, or amended statement if the committee does not file pursuant to division (F)(1) or (L) of section 3517.106 of the Revised Code but files by printed version only with the appropriate board of elections. The board of elections shall send one of those copies by ~~overnight delivery service~~ certified mail to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

Impact on Boards of Elections

In accordance with these new statutory provisions, you are hereby advised that a copy of any campaign finance statement, addendum, or amended statement filed with your board of elections for the office of member of the Ohio General Assembly or judge of the court of appeals must be sent by *certified mail* to the Secretary of State before the close of business on the day the board of elections receives the statement, addendum, or amended statement. Please immediately discontinue use of the prepaid Fed Ex air bills or Fed Ex account number previously supplied by the Secretary of State for sending these campaign finance statements.

If you have any questions about this Advisory, you may contact the Elections Division and request to speak with your designated elections attorney.

Sincerely,



Jennifer Brunner