

Ohio Elections Commission

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- Total biennium budget of \$1,273,246
- Increased campaign finance filing requirements may result in increased complaints to ELC

OVERVIEW

Duties and Responsibilities

The Ohio Elections Commission (ELC) oversees political party spending, campaign finance, and corporate political contributions to ensure compliance with the Ohio Elections Law set forth in Chapter 3517. of the Revised Code. The Commission issues advisory opinions on campaign finance questions, responds to questions about campaign activities, and acts as an enforcement body and customer service center for the policing of campaign activities.

The Commission is comprised of seven members including three Republicans, three Democrats, and one Independent. The Commission employs a staff of three people, including an executive director and two administrative assistants.

Agency in Brief

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Number of Employees*	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2006	2007	2006	2007	
3	\$636,623	\$636,623	\$411,623	\$411,623	Am. Sub. HB 66

Vetoed Provisions

There were no provisions affecting this agency that were vetoed by the Governor.

Some Agency Costs Difficult to Anticipate

There are several issues that will affect the ELC's budget in the upcoming biennium. The ELC has been experiencing increased costs in areas outside of agency control. Commission member appointments come from areas further away from Columbus than their predecessors. As a result, there have been increased costs in travel reimbursements. Members are also traveling to commission meetings the night before due to distance, which has increased expenses for the Commission as well. The ELC indicated that during the FY 2004-2005 biennium, various expenses such as travel and lodging increased by approximately \$1,500 per month.

Campaign Finance Legislation

H.B. 1 of the 125th General Assembly, Special Session, made several changes and additional requirements to the filing of campaign finance statements. One of the primary charges of the ELC is to act on campaign finance-related complaints filed by individuals, local boards of election, or the Secretary of State. The additional filing requirements of H.B. 1 have the potential to lead to an increased number of complaints due to late filing or failure to file proper campaign finance reports. Increased complaints would drive up the costs for the ELC, especially if the Commission would be required to meet more frequently to make determinations on an increased caseload. The ELC feels workload increases may only be short-term as individuals become accustomed to the various changes set forth by H.B. 1.

Conversely, the provisions of H.B. 1 may generate additional revenue for the ELC. The ELC is permitted to levy fines for violations of election law. Usually, a first offense results in a warning from the ELC. A second offense generates a \$100 fine. A third offense levies a \$200 fine. Any subsequent offense results in the doubling of fines for each offense thereafter. It is difficult to determine how many offenses stemming from complaints filed as a result of the requirements in H.B. 1 will lead to fines. Historically, the ELC receives approximately \$70,000 of fine revenue per biennium.

ANALYSIS OF THE ENACTED BUDGET

For budget purposes, as detailed below, the Ohio Elections Commission is considered a single program series agency and its activities are not subdivided into separate programs.

Program Series 1

Regulation

Purpose: To ensure and enforce compliance with Ohio's elections law by candidates for public office.

The following table shows the line items that are used to fund the Regulation program series, as well as the enacted budget's funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	051-321	Operating Expenses	\$411,623	\$411,623
General Revenue Fund Subtotal			\$411,623	\$411,623
General Services Fund				
4P2	051-601	Ohio Elections Commission	\$225,000	\$225,000
General Services Fund Subtotal			\$225,000	\$225,000
Total Funding: Regulation			\$636,623	\$636,623

Compliance, Investigation, and Enforcement

Program Description: The Commission issues advisory opinions on campaign finance and related subjects and hears complaints of wrongdoing filed. The majority of complaints deal with candidates, campaign committees, political action committees, or corporations that are either late in filing

or fail to file the required campaign finance reports. Other cases heard and considered by the Commission concern the inclusion or exclusion of disclaimers on political literature, corporate activities in the political arena, or the inclusion of allegedly false statements in campaign materials.

Funding Sources: GRF, election-filing fees

Implication of the Enacted Budget: The funding levels provided in the enacted budget allow the ELC to meet its statutory obligations. In previous fiscal years, the ELC relied more upon revenues generated in the Election Commission Fund (Fund 4P2) to carry out its duties. The ELC derived 51% of its budget in FYs 2004-2005 from Fund 4P2. In this upcoming biennium, under the Governor's proposal, only 35% of the ELC's budget would come from Fund 4P2. Relying on GRF funds will allow the ELC to easily absorb uncontrolled cost increases that have occurred over the past biennium, and any further cost increases that may result from the requirements of H.B. 1, campaign finance legislation enacted in December 2004.

Temporary and Permanent Law Provisions: None