
JOINT LEGISLATIVE ETHICS COMMITTEE
Office Of The Legislative Inspector General



Ohio Lobbying Handbook

Ohio Lobbying Handbook



Joint Legislative Ethics Committee
Office of the Legislative Inspector General
50 West Broad Street, Suite 1308
Columbus, Ohio 43215
Phone: 614.728.5100 • Web: www.ohiolobbying.com

An Introduction From The Legislative Inspector General

Welcome,

On average, nearly 1,600 organizations located throughout the country engage lobbyists to advocate interests before Ohio's executive and legislative branches of government. Nearly every Ohioan has an interest represented by a lobbyist. Municipalities, schools and universities, corporations, trade associations, social service coalitions, and dozens of other groups employ lobbyists. With such a wide spectrum of interests represented, it is the job of the Office of the Legislative Inspector General (OLIG) to facilitate a fair, transparent, and accessible lobbying process.

This can only be accomplished through a collaborative effort with the lobbying community. Through accurate reporting, self-monitoring, and mentorship, the lobbying community has helped promote accountability and compliance with the state's lobbying laws. As lobbying continues to be an ever-evolving profession, the OLIG strives to facilitate an open and accountable process that is beneficial to the interests of all.

This handbook provides a roadmap through Ohio's lobbying laws. From how to register and report activity and expenditures to how Ohio's lobbying laws are enforced, this handbook answers basic questions regarding the regulation of lobbying in Ohio. All lobbyists and employers are encouraged to visit the OLIG's website—www.ohiolobbying.com—where it frequently publishes blog posts about current issues and reporting guidelines. For answers to specific questions, please call 614-728-5100 and speak with OLIG staff.

Tony Bledsoe

Legislative Inspector General



PREFACE

An Overview Of Ohio's Lobbying Laws

Lobbyists & Employers

In Ohio, a lobbyist is a person who is *compensated* to advocate the interests of another before Ohio's legislative and executive branches of government. Based on the subject matter that a lobbyist is attempting to influence, Ohio law categorizes lobbyists as either: legislative agents, executive agency lobbyists, or retirement system lobbyists. For example, a lobbyist attempting to influence legislation—regardless of with whom they are communicating—is a legislative agent. Classifications are not exclusive; lobbyists are often both legislative agents and executive agency lobbyists.

A person or entity who compensates a lobbyist to advocate on its behalf is referred to as an employer.

Engagements & Registrations

The relationship between an employer and a lobbyist is called an engagement. Every engagement must be registered with the Office of the Legislative Inspector General ("OLIG"). Once registered, engagements are active until terminated by the lobbyist or the employer, or until its codified expiration date.

An employer may engage one lobbyist as its legislative agent, executive agency lobbyist, and retirement system lobbyist. In such a situation, three separate engagements exist: a legislative engagement, an executive agency engagement, and a retirement system engagement.

Activity & Expenditure Reports & Reporting Periods

Lobbyists and employers must periodically report details about their lobbying activity and any expenditures associated with each engagement. This information is submitted by filing an Activity & Expenditure Report (AER).

Each calendar year consists of three reporting periods: *January-April*, *May-August*, and *September-December*. Following each, lobbyists and employers must separately submit AER's to the OLIG.

The Office Of The Legislative Inspector General

The OLIG is a non-partisan legislative office with duties involving the state's lobbying and ethics laws. The OLIG has two primary functions: (1) it administers Ohio's lobbying laws, and (2) is the administrative office of the Joint Legislative Ethics Committee ("JLEC")—a legislative committee comprised of twelve members of the general assembly. Relative to lobbying, the OLIG is responsible for providing, collecting, and reviewing each registration and AER to ensure all lobbying activity is properly reported.

Ohio Lobbying Activity Center


All registration statements, AER's, and terminations are submitted electronically through the Ohio Lobbying Activity Center ("OLAC")—an electronic filing system designed and maintained by the OLIG.

Table Of Contents

(Click any topic to jump to that page.)

CHAPTER 1: DEFINITIONS	11
CHAPTER 2: OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL	23
WHAT IS THE OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL.....	25
WHAT IS THE OHIO LOBBYING ACTIVITY CENTER (OLAC)	25
TRAININGS & GUIDANCE.....	25
PUBLIC RECORDS	26
RECORD RETENTION POLICY.....	26
CHAPTER 3: ENGAGEMENTS: REGISTRATIONS, TERMINATIONS, & RENEWALS	27
ENGAGEMENT BASICS.....	29
<i>What Is An Engagement.....</i>	<i>29</i>
<i>Types Of Engagements.....</i>	<i>29</i>
DO I NEED TO REGISTER MY ENGAGEMENT?.....	29
<i>Three Factors Trigger An Obligation To Register</i>	<i>29</i>
<i>When To Register An Engagement.....</i>	<i>30</i>
<i>"Lawyering" vs. Lobbying</i>	<i>30</i>
<i>Certain Public Employees Exempt From Registration</i>	<i>30</i>
HOW TO REGISTER AN ENGAGEMENT: INITIAL REGISTRATION STATEMENTS.....	31
<i>Information Required</i>	<i>31</i>
<i>Real Party In Interest.....</i>	<i>31</i>
<i>How To File</i>	<i>32</i>
<i>Signature Pages.....</i>	<i>32</i>
<i>Filing Fees</i>	<i>32</i>
REGISTRATION CYCLES	33
<i>Legislative Engagement Registration Cycles</i>	<i>33</i>
<i>Executive And Retirement System Engagement Registration Cycles</i>	<i>33</i>
TERMINATING AN ENGAGEMENT	34
RENEWING AN ENGAGEMENT	34
<i>How To Renew.....</i>	<i>34</i>
<i>When To Renew.....</i>	<i>35</i>
<i>Failure To Renew</i>	<i>36</i>
LOBBYING CARDS & ID ACCESS	36
<i>Lobbying Cards</i>	<i>36</i>
<i>I.D. Card Access To Statehouse.....</i>	<i>36</i>
FAILURE TO REGISTER.....	36
PROHIBITIONS.....	36
<i>Contingency Fee & State Lobbyist Compensation Prohibitions.....</i>	<i>36</i>
<i>Individuals Guilty Of Certain Offenses Prohibited From Registering</i>	<i>37</i>
CHAPTER 4: EXPENDITURE & REPORTING BASICS.....	39
EXPENDITURE BASICS.....	41
<i>What Is An Expenditure.....</i>	<i>41</i>
<i>Expenditure Categories.....</i>	<i>41</i>

<i>What Is Not An Expenditure</i>	42
<i>Who Is A Reportable Person</i>	42
<i>Prohibited Expenditures</i>	43
<i>Prior OLIG Notification Of Expenditures Encouraged</i>	44
REPORTING BASICS	44
<i>Reporting Obligations</i>	44
<i>How To Report - Activity & Expenditure Reports (AER's)</i>	44
<i>When To Report - Reporting Periods</i>	45
<i>Lobbyist Reporting vs. Employer Reporting</i>	45
<i>Lobbyist Expenditures vs. Employer Expenditures: "Point Of Sale" Test</i>	46
<i>Expenditure Splitting</i>	46
<i>Non-Disputed Notice: 10 Day Notification To Recipients Of Itemized Expenditures</i> .	46
<i>Recipient Reimbursement Of Expenditures</i>	47
<i>Lobbyist Expenditures Not Attributable To A Specific Engagement</i>	47
<i>Record Retention Of Expenditure Receipts</i>	47
<i>Amending Reports</i>	47
<i>State Employees</i>	47
CHAPTER 5: LOBBYIST ACTIVITY & EXPENDITURE REPORTING	49
LEGISLATIVE AGENT REPORTING	51
<i>Activity Reporting</i>	51
<i>Expenditure Reporting</i>	52
EXECUTIVE AGENCY LOBBYIST REPORTING	56
<i>Activity Reporting</i>	56
<i>Expenditure Reporting</i>	57
RETIREMENT SYSTEM LOBBYIST REPORTING	59
<i>Activity Reporting</i>	60
<i>Expenditure Reporting</i>	60
CHAPTER 6: EMPLOYER ACTIVITY & EXPENDITURE REPORTING	63
EMPLOYER OF A LEGISLATIVE AGENT REPORTING	65
<i>Activity Reporting</i>	65
<i>Expenditure Reporting</i>	66
EMPLOYER OF AN EXECUTIVE AGENCY LOBBYIST REPORTING	68
<i>Activity Reporting</i>	69
<i>Expenditure Reporting</i>	69
EMPLOYER OF A RETIREMENT SYSTEM LOBBYIST REPORTING	71
<i>Activity Reporting</i>	71
<i>Expenditure Reporting</i>	72
CHAPTER 7: FINANCIAL TRANSACTIONS	75
WHAT IS A FINANCIAL TRANSACTION	77
FINANCIAL TRANSACTION STATEMENTS	78
<i>Information To Be Included On A Financial Transaction Statement</i>	78
<i>When To File</i>	78
<i>10 Day Notification To Reportable Person Prior to Filing</i>	78
CHAPTER 8: ENFORCEMENT	79
OLIG JURISDICTION	81



INFRACTIONS & ENFORCEMENT POLICIES.....	81
<i>Failure To Maintain Expenditure Receipts</i>	81
<i>Failure To Register An Engagement</i>	81
<i>Failure To File An Activity & Expenditure Report</i>	82
<i>Filing A False Report</i>	83
EXPENDITURE DISPUTES	83
COMPLAINTS.....	83
APPENDICES.....	85
APPENDIX A: LOBBYING LAWS	87
APPENDIX B: EXECUTIVE AGENCIES.....	89
APPENDIX C: STATE DEPARTMENTS.....	93
APPENDIX D: LEGISLATIVE STAFF	95
APPENDIX E: PRINTABLE EXPENDITURE GUIDELINES	97
APPENDIX F: PRINTABLE REPORTING PERIOD CALENDAR	99
APPENDIX G: MODEL NON-DISPUTED NOTICE FORM	100

[Blank Page]

Chapter 1: Definitions

CENTRAL LOBBYING TERMS	13
LOBBYING.....	13
LOBBYIST	13
EMPLOYER	14
ENGAGEMENT.....	14
LEGISLATIVE LOBBYING TERMS	14
LEGISLATIVE AGENT.....	14
LEGISLATION.....	15
LEGISLATIVE LOBBYING ACTIVITY.....	15
LEGISLATIVE REPORTABLE PERSON.....	15
EXECUTIVE AGENCY LOBBYING TERMS	15
EXECUTIVE AGENCY LOBBYIST	15
EXECUTIVE AGENCY.....	15
EXECUTIVE AGENCY DECISION	16
EXECUTIVE AGENCY LOBBYING ACTIVITY	16
EXECUTIVE AGENCY REPORTABLE PERSON	16
RETIREMENT SYSTEM LOBBYING TERMS	17
RETIREMENT SYSTEM LOBBYIST	17
RETIREMENT SYSTEM	17
RETIREMENT SYSTEM DECISION.....	17
RETIREMENT SYSTEM LOBBYING ACTIVITY	17
RETIREMENT SYSTEM REPORTABLE PERSON	17
GENERAL LOBBYING TERMS	18
ACTIVITY & EXPENDITURE REPORT (AER)	18
ALL-INVITED EVENT.....	18
COMPENSATION.....	18
DATE OF ENGAGEMENT	18
DIRECT COMMUNICATION	18
EXPENDITURE.....	19
FINANCIAL TRANSACTION	19
INITIAL REGISTRATION STATEMENT	19
LOBBYING ACTIVITY	19
LOBBYING LAWS	19
OHIO LOBBYING ACTIVITY CENTER (OLAC)	19
NATIONAL ORGANIZATION.....	20
NON-DISPUTED NOTICE	20
REGISTRATION CYCLE.....	20
REPORTABLE PERSON	20
REPORTING PERIOD.....	20
SIGNATURE PAGE	21

Definitions

This handbook begins with an overview of defined terms. Terms central to understanding Ohio's Lobbying Laws are defined first. Thereafter, general terms are defined alphabetically. Throughout this handbook, terms that begin with a capital letter and that are listed below are assigned the following definitions:

CENTRAL LOBBYING TERMS

Lobbying

Generally, Lobbying is an attempt to promote, oppose, or influence Legislation, Executive Agency Decisions, or Retirement System Decisions on behalf of an Employer through Direct Communication with a Reportable Person.

[R.C. 101.70(E), 121.60(I), and 101.90(I)]

In Ohio, there are three categories of lobbying: Legislative Lobbying, Executive Agency Lobbying, and Retirement System Lobbying. Each category is subject to different regulations.

[R.C. 101.70-101.79, 121.60-121.69, and 101.90-101.99]

Lobbying does not include any of the following:

1. Grassroots efforts. Grassroots lobbying are efforts by those who are not compensated, that have a direct interest in Legislation, Executive Agency Decisions, or Retirement System Decisions, and who petition public officials and employees for the redress of their grievances. [R.C. 101.70(E), 121.60(I)(1), and 101.90(I)(1)]
2. Contacts made for the sole purpose of gathering information contained in a public record. [R.C. 121.60(I)(2) and 101.90(I)(2)]
3. Appearances before public hearings of the general assembly, the controlling board, an Executive Agency, or a Retirement System to give testimony. [R.C. 101.76(A)(1), 121.60(I)(3), 101.90(I)(3)]
4. News, editorial, and advertising statements published in bona fide newspapers, journals, magazines, or broadcasts and the gathering and furnishing of information for such news, editorial, and advertising statements. [R.C. 101.76(A)(2), 101.76(A)(3), 121.66(A)(2), 121.66(A)(3), 101.96(A)(2), 101.96(A)(3)]
5. Publications primarily designed for and distributed to members of bona fide associations, or charitable or fraternal nonprofit corporations. [R.C. 101.76(A)(4), 121.66(A)(4), 101.96(A)(4)]

Lobbyist

Generally, a Lobbyist is a person who is compensated by an Employer to influence Legislation, Executive Agency Decisions, and Retirement System Decisions.

Based on the subject matter being Lobbied, Ohio law classifies Lobbyists as: Legislative Agents, Executive Agency Lobbyists, or Retirement System Lobbyists; different laws govern each. The classifications are not mutually exclusive. A Lobbyist may simultaneously be a Legislative Agent, an Executive Agency Lobbyist, and a Retirement System Lobbyist.

[R.C. 101.70(F), 101.70(E), 121.60(H), 101.90(H)]

Employer

An Employer is any person or entity who compensates a Lobbyist to conduct Lobbying Activity on its behalf.

Based on the type of Lobbying Activity, Ohio law classifies an Employer as: an Employer of a Legislative Agent, an Employer of an Executive Agency Lobbyist, or as an Employer of a Retirement System Lobbyist. The classifications are not mutually exclusive. An Employer may simultaneously be an Employer of: a Legislative Agent, an Executive Agency Lobbyist, and a Retirement System Lobbyist.

[R.C. 101.70(G) and (H); 121.60(C) and (D); and 101.90(C) and (D)]

Engagement

An Engagement is the relationship between an Employer and a Lobbyist. It is one where an Employer Compensates a Lobbyist to conduct Lobbying Activity on its behalf. All Engagements must be registered by filing an Initial Registration Statement with the OLIG.

Based on the type of Lobbying Activity, Engagements are classified as: Legislative Engagements, Executive Engagements, or Retirement System Engagements. A separate Engagement exists for each Legislative Agent, Executive Agency Lobbyist, and Retirement System Lobbyist an Employer Compensates.

Employers may hire one Lobbyist as its Legislative Agent, Executive Agency Lobbyist, and Retirement System Lobbyist. In such instances, three separate Engagements exist: a Legislative Engagement, an Executive Agency Engagement, and a Retirement System Engagement.

[R.C. 101.70(H), 101.72, 121.60(D), 121.62, 101.90(D),101.92]

LEGISLATIVE LOBBYING TERMS

Legislative Agent

A Legislative Agent is a Lobbyist whose main purpose, for at least 5% of their compensated time, is to promote, oppose, or otherwise influence the passage, defeat, or modification of Legislation through Direct Communication with: any member of the general assembly or controlling board; legislative staff listed in [Appendix D](#); the governor; the head of any department listed in [Appendix C](#); and any staff of the governor or department listed in [Appendix C](#) who is required to file a financial disclosure statement.

[R.C. 101.70(F), 101.70(E), Adm.Code 101-9-01(C)]

The following are not Legislative Agents: members or staff of the general assembly, the governor or lieutenant governor, the secretary of state, the treasurer of state, or the auditor of state.

[R.C. 101.70(F)]

Legislation

Legislation is any of the following:

1. Any matter pending before the general assembly, including: bills, resolutions, amendments, nominations, and proposed rules before JCARR.
2. Any matter before the controlling board.
3. The executive approval or veto of any bill acted upon by the general assembly.

A matter is before the general assembly once it is officially introduced by being filed with the clerk of either chamber.

[RC 101.70(B)]

Legislative Lobbying Activity

Legislative Lobbying Activity means promoting, advocating, opposing, or otherwise influencing the passage, modification, or defeat of Legislation through Direct Communication with any Legislative Reportable Person.

[R.C. 101.70(F), 101.70(E), Adm.Code 101-9-01(C)]

Legislative Reportable Person

A Legislative Reportable Person is: any member of the general assembly or controlling board; any legislative staff listed in Appendix D; the governor; the head of any department or agency listed in Appendix C; and any staff of the governor or department listed in Appendix C who is required to file a financial disclosure statement.

[R.C. 101.70(E), 101.70(D), Adm.Code 101-9-01(C)]

EXECUTIVE AGENCY LOBBYING TERMS

Executive Agency Lobbyist

An Executive Agency Lobbyist is one whose main purpose, for at least 25% of their compensated time, is to promote, oppose, or otherwise influence Executive Agency Decisions through Direct Communication with: an elected executive agency official (governor, lieutenant governor, attorney general, secretary of state, auditor of state, treasurer of state), the head of any department or agency listed in Appendix B or Appendix C, or any staff of such department or agency who is required to file a financial disclosure statement.

The following are not considered Executive Agency Lobbyists: an officer or an employee of a federal or state agency, state college or university, or political subdivision, who attempts to influence Executive Agency Decisions as a fiduciary representative of such agency, college, university, or subdivision.

[R.C. 121.60(H), 121.60(I), 121.60(E)(2), 121.60(L), 121.60(J), Adm.Code 101-11-01(F)]

Executive Agency

An Executive Agency is an office of any of the six elected executive officials, a department created under R.C. 121.02, or any other state agency, department, board, or commission

controlled or directed by an elected executive official or that is subject to an elected executive official's authority.

JobsOhio, the nonprofit corporation formed under R.C. 187.01, is considered an Executive Agency for purposes of Executive Agency Lobbying only.

An Executive Agency does not include any court, the general assembly, or the controlling board.

See [Appendix B](#) and [Appendix C](#) for lists of Executive Agencies.

[R.C. 121.60(F)]

Executive Agency Decision

An Executive Agency Decision is:

1. A decision of an Executive Agency regarding: an expenditure of state funds or an award of any contract, grant, lease, or other financial arrangement under which state funds are distributed or allocated; or
2. A regulatory decision of an Executive Agency, or any board or commission of the State.
 - A regulatory decision is one that has broad and universal application to all persons subject to the jurisdiction of the agency, board, or commission. Administrative rules, bulletins, directives, and policy statements are all regulatory decisions.
 - A regulatory decision is not an Executive Agency Decision when it is made solely with respect to named persons.

An administrative rule proposed by the EPA to regulate certain gas emissions is an Executive Agency Decision.

A decision by the Ohio Medical Board to reinstate a particular doctor's medical license is not an Executive Agency Decision.

The award of a competitively bid contract for which there were at least three eligible bids received by the Executive Agency is not considered an Executive Agency Decision for lobbying purposes.

[R.C. 121.60(G), Adm.Code 101-11-01(C)]

Executive Agency Lobbying Activity

Executive Agency Lobbying Activity means promoting, opposing, or otherwise influencing Executive Agency Decisions through Direct Communication with any Executive Agency Reportable Person.

[R.C. 121.60(E)(2), (H), and (I); Adm.Code 101-11-01(F)]

Executive Agency Reportable Person

An Executive Agency Reportable Person is any elected executive official (governor or lieutenant governor, attorney general, secretary of state, auditor of state, treasurer of state), the head of any department or agency listed in [Appendix B](#) or [Appendix C](#), or any staff of such department or agency who is required to file a financial disclosure statement.

[R.C. 121.60(B), 121.60(I), 121.60(L), 121.60(J), Adm.Code 101-11-01(F)]

RETIREMENT SYSTEM LOBBYING TERMS

Retirement System Lobbyist

A Retirement System Lobbyist is one whose main purpose, for at least 25% of their compensated time, is to influence the outcome of a Retirement System Decision through Direct Communication with: a member of a board of a state retirement system; a state retirement investment official; or an employee of a state Retirement System whose position involves a substantial and material exercise of discretion in the investment of retirement system funds.

[R.C. 101.90(H), 101.90(I)]

Retirement System

A Retirement System is any of Ohio's five public retirement systems:

1. Public Employees Retirement System,
2. Ohio Police and Fire Pension Fund,
3. State Teachers Retirement System,
4. School Employees Retirement System, or
5. State Highway Patrol Retirement System.

[R.C. 101.90(F)]

Retirement System Decision

A Retirement System Decision is a decision of a Retirement System regarding the investment of funds or the award of an investment management contract to an agent or investment manager.

[R.C. 101.90(G)]

Retirement System Lobbying Activity

Retirement System Lobbying Activity means promoting, opposing, rewarding, or otherwise influencing the outcome of a Retirement System Decision through Direct Communication with a Retirement System Reportable Person.

[R.C. 101.90(I)]

Retirement System Reportable Person

A Retirement System Reportable Person is any member of a board of a state Retirement System, a state retirement investment official, or any employee of a Retirement System whose position involves a substantial and material exercise of discretion in the investment of Retirement System funds.

[R.C. 101.90(B), 101.90(I)]

GENERAL LOBBYING TERMS

Activity & Expenditure Report (AER)

An Activity & Expenditure Report (AER) is a report submitted to the OLIG following each Reporting Period. An AER requires Lobbyists and Employers to disclose their Lobbying Activity and certain expenditures they made in furtherance of their activity during the respective Reporting Period. Both Lobbyists and Employers must separately submit AER's for the Engagement.

[R.C. 101.73, 121.63, 101.93]

All-Invited Event

An All-Invited Event is a dinner, party, or reception to which all members of the general assembly, or all members of either chamber of the general assembly, are invited to attend. An event need not be exclusive to general assembly members to be considered an All-Invited Event.

[R.C. 101.73(D)]

Compensation

Compensation is anything of value that a Lobbyist receives in exchange for his or her Lobbying Activity. Generally, Lobbyists and Employers may freely negotiate the basis and manner in which compensation will be received. However, there are two instances where Ohio law limits Lobbyist Compensation:

1. Ohio law prohibits a Lobbyist from accepting compensation that is contingent on the outcome of the bill or decision they advocate.
2. There is a \$50,000.00 limit per calendar year on the compensation of outside or contract Lobbyists engaged by a state agency or institution of higher education without controlling board approval. This limit does not apply to Lobbyists who are employees of a state agency or institution of higher education.

Lobbyist compensation is not reported to the OLIG.

[R.C. 101.711, 101.73, 121.67(A), and 101.97(A)]

ABC Corp seeks to prevent the Ohio EPA from adopting a proposed rule. ABC Corp hires Lobbyist to advocate its position with the EPA. The terms on which Lobbyist accepts compensation from ABC Corp cannot be based on whether Lobbyist succeeds in opposing the rule.

Date Of Engagement

A Date of Engagement is the date a Lobbyist begins to conduct Lobbying Activity on an Employer's behalf.

Direct Communication

Direct Communication means verbal or written communication through any medium that is directed to a Reportable Person.

Expenditure

Generally, an Expenditure is any payment, reimbursement, gift, meal, beverage, or any other thing of value provided by a Lobbyist or an Employer for the use or benefit of a Reportable Person.

All Expenditures fall under one of four categories: (1) Itemized Gifts, (2) Itemized Meal/Beverages, (3) Non-Itemized Meal/Beverages, and (4) All-Invited Events. Not all categories are applicable to each Engagement type.

See Chapters 4, 5, and 6 for detailed information regarding Expenditures and how each category is to be reported relative to each Engagement type.

[R.C. 101.70(D), 121.60(B), 101.90(B)]

Financial Transaction

Financial Transaction means the joint ownership or operation of property or a for-profit commercial venture between a Lobbyist or an Employer of a Lobbyist and a Reportable Person.

A Financial Transaction does not include any transaction or activity that is available to the general public on the same terms as it is to a Reportable Person.

See Chapter 7 for detailed information regarding Financial Transactions.

[R.C. 101.70(I)]

Initial Registration Statement

An Initial Registration Statement is a form submitted by a Lobbyist to register an Engagement. Initial Registration Statements are submitted electronically through the Lobbyist's OLAC account. Once submitted, OLAC generates a Signature Page that must be signed by both the Lobbyist and Employer and submitted to the OLIG with a \$25.00 filing fee.

[R.C. 101.72, 121.62, 101.92]

Lobbying Activity

Lobbying Activity collectively means Legislative Lobbying Activity, Executive Agency Lobbying Activity, and Retirement System Lobbying Activity.

Lobbying Laws

Lobbying Laws means the following Sections of Ohio Revised Code and Administrative Code:

- R.C. 101.70 through 101.79; Adm.Code 101-9 (Legislative Lobbying)
- R.C. 121.60 through 121.69; Adm.Code 101-11 (Executive Agency Lobbying)
- R.C. 101.90 through 101.99 (Retirement System Lobbying)

Ohio Lobbying Activity Center (OLAC)

The Ohio Lobbying Activity Center (OLAC) is a website through which Lobbyists and Employers electronically file Initial Registration Statements and Activity and Expenditure Reports. OLAC is

also a database that allows public access to all disclosures filed by Lobbyists and Employers. OLAC is accessible from www.ohiolobbying.com.

National Organization

A National Organization is any organization or entity to which any state agency or state institution of higher education pays membership dues.

[R.C. 101.73(B), 121.63(B)]

Non-Disputed Notice

A Non-Disputed Notice is the notification a Lobbyist or an Employer is required to provide a Reportable Person who is individually named as an Expenditure recipient on an AER. Where a Reportable Person is named as a recipient, the Lobbyist or the Employer must notify that person at least ten days before filing the AER.

Non-Disputed Notices must be in writing and provide: (1) the date of the Expenditure, (2) the amount of the Expenditure, and (3) a description of the Expenditure. See Appendix G.

[R.C. 101.73(F), 121.63(G), 101.93(G)]

Registration Cycle

A Registration Cycle is the period over which an Engagement is active or registered. All Executive and Retirement Engagements expire January 31 of each year. All Legislative Engagements expire December 31 of every even numbered year. Engagements expire on these dates regardless of when in a Registration Cycle they are registered.

[R.C. 101.72(F), 121.62(F), 101.92(F)]

Reportable Person

Reportable Person collectively means any Legislative Reportable Person, Executive Agency Reportable Person, and Retirement System Reportable Person, as previously defined.

Reporting Period

A Reporting Period is a four month period, after which Lobbyists and Employers must submit Activity & Expenditure Reports to the OLIG. Every calendar year consists of three Reporting Periods: *January-April*, *May-August*, and *September-December*. The deadline to file an AER is the last day of the next month that follows each period.

Calendar of Reporting Periods and Corresponding AER Deadlines	
Reporting Period	Corresponding Deadline
January – April (January 1 st through April 30 th)	May 31 st
May – August (May 1 st through August 31 st)	September 30 th
September – December (September 1 st through December 31 st)	January 31 st of the following year
*If a deadline falls on a weekend or holiday, the deadline is the next business day.	

Signature Page

A Signature Page is a form generated once a Lobbyist enters an Engagement in OLAC. It requires the signature of both the Lobbyist and the Employer. By executing a Signature Page each party consents to the representation and agrees to comply with Ohio's Lobbying Laws.

-End of Chapter-

Chapter 2: Office Of The Legislative Inspector General

WHAT IS THE OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL	25
WHAT IS THE OHIO LOBBYING ACTIVITY CENTER (OLAC)	25
TRAININGS & GUIDANCE	25
PUBLIC RECORDS.....	26
RECORD RETENTION POLICY	26

Office Of The Legislative Inspector General

WHAT IS THE OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL

The Office of the Legislative Inspector General ("OLIG") is the administrative office of the Ohio General Assembly's Joint Legislative Ethics Committee ("JLEC")—a bipartisan committee comprised of twelve members. The OLIG is a nonpartisan office with two primary duties: (1) it advises general assembly members, employees, and candidates on the state's ethics laws found in R.C. Chapter 102, R.C.2929.42, and R.C. 2929.43; and (2) it administers the state's Lobbying Laws set forth in R.C. 101.70-101.79, 121.60-121.69, and 101.90-101.99.

Relative to lobbying, the OLIG is responsible for providing, collecting, and reviewing each Initial Registration Statement, AER, and Financial Transaction Statement submitted by a Lobbyist or Employer. In turn, the OLIG makes all submitted reports publicly available on its website: www.ohiolobbying.com.

The OLIG is located and can be contacted at:

50 West Broad Street
Suite 1308
Columbus, OH 43215
(614) 728-5100
www.ohiolobbying.com

[R.C. 101.34]

WHAT IS THE OHIO LOBBYING ACTIVITY CENTER (OLAC)

The Ohio Lobbying Activity Center ("OLAC") is a website designed and maintained by the OLIG. To lobby in Ohio, all Lobbyists must register their Engagements using an account they create in OLAC. Once registered, the OLIG will generate an OLAC account for the Employer. Both Lobbyists and Employers file Activity & Expenditure Reports through their respective OLAC accounts.

The OLIG no longer accepts paper filings of Registrations or AER's. Any Lobbyist or Employer who does not have internet access may stop by the OLIG's office to use its public OLAC terminal.

TRAININGS & GUIDANCE

The OLIG values its cooperative relationship with the lobbying community. It strives to implement Ohio's Ethics and Lobbying Laws not only from a compliance perspective, but also as a resource for guidance.

The OLIG routinely holds free training and CLE seminars for any person interested in learning more about Ohio's Lobbying and Ethics laws. Upon request, it will conduct customized trainings for any member of the lobbying community. The OLIG is also available by phone to answer any registration or reporting questions.

The OLIG strongly encourages Lobbyists and Employers to contact the OLIG prior to making large Expenditures or sending invitations to events. A quick conversation with the OLIG will ensure the Expenditure or event is permissible and correctly reported.

PUBLIC RECORDS

All Registration Statements, Activity & Expenditure Reports, and Financial Transaction Statements filed with the OLIG are public records and are available to view and print in OLAC. Additionally, OLAC's public search feature allows searches by bill, issue, industry, and expenditure recipient. An OLAC account is not needed to access these search features.

The OLIG's public records policy is available at www.ohiolobbying.com. Specific records requests may be made by directly contacting the OLIG.

[R.C. 101.78, 121.68, 101.98]

RECORD RETENTION POLICY

The OLIG indefinitely retains all Registration Statements, Activity & Expenditure Reports, and Financial Transaction Statements filed in OLAC. Reports filed prior to 2009 are also kept indefinitely as scanned images available on the OLIG's website. Original Signature Pages are retained until the adjournment of the general assembly session that follows the session in which the Lobbying Activity commenced; scanned copies are kept indefinitely.

[R.C. 149.332]

-End of Chapter-

Chapter 3: Engagements: Registrations, Terminations, & Renewals

ENGAGEMENT BASICS.....	29
WHAT IS AN ENGAGEMENT.....	29
TYPES OF ENGAGEMENTS.....	29
DO I NEED TO REGISTER MY ENGAGEMENT?	29
THREE FACTORS TRIGGER AN OBLIGATION TO REGISTER	29
WHEN TO REGISTER AN ENGAGEMENT.....	30
"LAWYERING" VS. LOBBYING.....	30
CERTAIN PUBLIC EMPLOYEES EXEMPT FROM REGISTRATION.....	30
HOW TO REGISTER AN ENGAGEMENT: INITIAL REGISTRATION STATEMENTS.....	31
INFORMATION REQUIRED.....	31
REAL PARTY IN INTEREST.....	31
HOW TO FILE.....	32
SIGNATURE PAGES	32
FILING FEES	32
REGISTRATION CYCLES	33
LEGISLATIVE ENGAGEMENT REGISTRATION CYCLES	33
EXECUTIVE AND RETIREMENT SYSTEM ENGAGEMENT REGISTRATION CYCLES	33
TERMINATING AN ENGAGEMENT	34
RENEWING AN ENGAGEMENT	34
HOW TO RENEW	34
WHEN TO RENEW	35
FAILURE TO RENEW.....	36
LOBBYING CARDS & ID ACCESS.....	36
LOBBYING CARDS	36
I.D. CARD ACCESS TO STATEHOUSE	36
FAILURE TO REGISTER	36
PROHIBITIONS.....	36
CONTINGENCY FEE & STATE LOBBYIST COMPENSATION PROHIBITIONS.....	36
INDIVIDUALS GUILTY OF CERTAIN OFFENSES PROHIBITED FROM REGISTERING	37

[Blank Page]

Engagements: Registrations, Terminations, & Renewals

ENGAGEMENT BASICS

What Is An Engagement

An Engagement is the relationship between an Employer and a Lobbyist. It is one where an Employer Compensates a Lobbyist to conduct Legislative, Executive Agency, or Retirement System Lobbying Activity on its behalf. All Engagements must be registered with the OLIG.

[R.C. 101.70(H), 101.72, 121.60(D), 121.62, 101.90(D),101.92]

Types Of Engagements

There are three types of Engagements. Depending on the type of Lobbying Activity conducted, Engagements are classified as either: Legislative Engagements, Executive Engagements, or Retirement System Engagements. A separate Engagement exists for each Legislative Agent, Executive Agency Lobbyist, and Retirement System Lobbyist an Employer compensates.

John is Engaged by ABC to conduct Legislative and Executive Agency Lobbying Activity. John must register two Engagements: a Legislative Engagement on behalf of ABC and an Executive Engagement on behalf of ABC.

Jane is Engaged by both ABC and XYZ to conduct Legislative Lobbying Activity. Jane must register two Engagements: a Legislative Engagement on behalf of ABC and an Legislative Engagement on behalf of XYZ.

[R.C. 102.72(A), 121.62(A), and 101.92(A)]

DO I NEED TO REGISTER MY ENGAGEMENT?

Three Factors Trigger An Obligation To Register

Three factors, when each is present, trigger a Lobbyist's obligation to register an Engagement:

1. **Compensation**: The Lobbyist must receive Compensation for conducting Lobbying Activity.
2. **Direct Communication**: The Lobbyist must Directly Communicate with a Reportable Person.
3. **Amount of Compensated Time Lobbying**:
 - **Legislative Lobbying**: 5%* or more of the Lobbyist's time that is compensated by the Employer must be spent conducting Legislative Lobbying Activity.
 - **Executive Agency Lobbying**: 25%* or more of the Lobbyist's time that is compensated by the Employer must be spent conducting Executive Agency Lobbying Activity.

- **Retirement System Lobbying:** 25%* or more of the Lobbyist's time that is compensated by the Employer must be spent conducting Retirement System Lobbying Activity.

[R.C. 101.70(E), 101.70(F), 121.60(I), 121.60(E)(2), 121.60(H), 121.60(J), 121.60(L), 101.90(H), 101.90(I), 101.90(G)]

*These time thresholds are the OLIG's official interpretation of the statutory language contained in RC 101.70(F), 121.60(H), and 101.90(H). Whether the threshold is met should be based on a good faith estimate of the Lobbyist. As a rule of thumb: if the duration of a Lobbyist's contract with an Employer is less than a Reporting Period, the percentage of compensated time should be based on the length of the contract; if the duration of a Lobbyist's contract with an Employer is greater than a Reporting Period, the percentage of compensated time should be based on the amount of time spent lobbying for that Employer during the Reporting Period. If in doubt, the Lobbyist should register or contact the OLIG.

When To Register An Engagement

An Engagement must be registered in OLAC within ten days of its Date of Engagement. Any Registration falling outside this period must be accompanied by a written explanation of the delay.

[R.C. 101.72(A), 121.62(A), 101.92(A)]

"Lawyering" vs. Lobbying

Attorneys often represent clients before state agencies. Attorneys do not register as a Lobbyist where the outcome of their representation results in an agency decision that is only applicable to their client or certain named individuals.

Attorney represents ABC in an administrative hearing before ODJFS regarding whether a former ABC employee is entitled to unemployment compensation benefits. ODJFS's determination will only be applicable to ABC and the former employee. Attorney will not register as a lobbyist.

Attorneys must register as a Lobbyist where their communications with state agencies (other than testimony at a public hearing) may affect Legislation or Executive Agency Decisions that are universally applicable.

Attorney is engaged by ABC to oppose an administrative rule proposed by ODJFS that will affect how unemployment compensation claims are adjudicated. The rule will be applicable to all persons and entities subject to ODJFS's jurisdiction. Attorney must register as an Executive Agency Lobbyist.

[R.C. 121.60(G),
Adm.Code 101-11-
01(C)]

Certain Public Employees Exempt From Registration

Legislative Lobbying: Members and employees of the general assembly, the governor, lieutenant governor, attorney general, secretary of state, treasurer of state, and auditor of state are not considered Legislative Agents and are exempt from registering as such.

Executive Lobbying: Elected or appointed officers or employees of a federal or state agency, state college, state university, or political subdivision are exempt from registering as Executive Agency Lobbyists. *Note:* These individuals may still be required to register as Legislative Agents if they engage in Legislative Lobbying Activity.

Retirement System Lobbying: Elected or appointed officers or employees of a federal or state agency, or a political subdivision are exempt from registering as Retirement System Lobbyists.

[R.C. 101.70(F), 121.60(H), 101.90(H)]

HOW TO REGISTER AN ENGAGEMENT: INITIAL REGISTRATION STATEMENTS

Engagements are registered by a Lobbyist filing an Initial Registration Statement in OLAC and delivering a signed Signature Page and \$25.00 filing fee to the OLIG.

[R.C. 101.72, 121.62, 101.92]

Information Required

An Initial Registration Statement is an electronic form available in OLAC that requires Lobbyists to disclose basic information regarding their Engagement. A different Initial Registration Statement exists for each type of Engagement. The following information must be provided for each Registration:

1. **Date Of Engagement**: The date the Lobbyist begins to conduct Lobbying Activity on behalf of the Employer.
2. **Employer Identification & Contact Person**: The name and business address of the Employer, plus a phone number for a specific contact person. The contact person should be someone familiar with the nature of the Engagement. This person will be whom the OLIG contacts regarding the Employer's OLAC account and AER's.
3. **Description Of Lobbying Activity**: A brief description of the issues or policy topics the Lobbyist will be advocating on behalf of the Employer.
4. **Categories To Which The Engagement Relates**:
 - **Legislative Agent Initial Registration Statements**: The principal business activity of the Employer. *E.g.* agriculture, education, insurance.
 - **Executive Agency Lobbyist Initial Registration Statements**: Any state elected office, executive agency, board, or commission that the Lobbyist will contact.
 - **Retirement System Lobbyist Initial Registration Statements**: Indicate which of the five Retirement Systems the Lobbyist will contact.

[R.C. 101.72(A)(3), 101.72(A)(4), 121.62(A)(3), 121.62(A)((4), 101.92(A)(3, and 101.92(A)(4)]

Real Party In Interest

A Real Party In Interest should be identified where a Lobbyist (or his or her lobbying firm) is compensated by one entity to conduct lobbying activity on the behalf of another. The Lobbyist should disclose the direct beneficiary of the lobbying activity as the Employer and identify the source of compensation as a Real Party In Interest. If you feel you have a Real Party In Interest, please contact the OLIG prior to registering.

ABC Corp compensates Jane Lobbyist to conduct lobbying activity on behalf of its subsidiary: ACME Co. When communicating with legislators, Jane holds herself out as representing ACME. To register the Engagement, Jane should disclose ACME as her Employer and ABC Corp as a Real Party In Interest on her Initial Registration Statement.

XYZ Corp joins with several other entities to form the coalition: Ohioans For 123. XYZ Corp compensates John Lobbyist to lobby on behalf of the coalition. When contacting legislators, John plans to hold himself out as representing the coalition. John will register the Engagement by disclosing Ohioans For 123 as his Employer and XYZ Corp as a Real Party In Interest on his Initial Registration Statement.

How To File

Registration Process	
Step 1	Lobbyist creates or logs in to OLAC account.
Step 2	Lobbyist completes Initial Registration Statement in OLAC.
Step 3	Lobbyist prints, signs, and secures Employer's signature for Signature Page.
Step 4	Delivery of Signature Page and \$25 filing fee to the OLIG.
Step 5	OLIG processes Signature Page making Engagement active.

1. Lobbyists bear the responsibility of initiating the registration process. To register, each Lobbyist must create or log in to their existing OLAC account. Thereafter, the Lobbyist will be directed to his or her Homepage. (*Note:* The OLIG will generate an account for the Employer upon receipt of the Initial Registration Statement and send notification to the employer contact.)
2. From the Homepage, the Lobbyist will select the type of Engagement to register—Legislative, Executive, Retirement System. OLAC will then direct the Lobbyist to that Engagement type's Initial Registration Statement. The Lobbyist will enter all required information and submit the Initial in OLAC.
3. The Lobbyist will be prompted to print a Signature Page. The Signature Page will: contain a summary of the Engagement, require the signatures of both the Lobbyist and the Employer, and serve as the invoice for the \$25.00 filing fee.
4. Once the Signature Page is signed by both the Lobbyist and the Employer it must be delivered to the OLIG with the filing fee. Until an executed Signature Page and filing fee is delivered, the Lobbyist's OLAC account will list the Initial's status as "Received."
5. An Engagement is registered once the executed Signature Page and filing fee are delivered to and processed by the OLIG. Thereupon, the Initial's status will be listed as "Filed" in both the Lobbyist's and the Employer's OLAC account.

Signature Pages

Signature Pages must be delivered to the OLIG no later than 21 days after the Initial is submitted in OLAC. If no Signature Page is delivered after 21 days, the Initial may be purged from OLAC.

Signature Pages may be delivered personally or via mail. To expedite the process of obtaining signatures, the OLIG will accept Signature Pages that have been scanned or faxed between Lobbyists and Employers.

Filing Fees

Every Engagement requires a \$25.00 filing fee. The fee must accompany the Signature Page. Checks may be made payable to: OLIG or JLEC.

If an Employer or Lobbyist is registering more than one Engagement, all filing fees may be submitted in one check.

[R.C 101.72, 121.62, 101.92]

State Employees registering to lobby on behalf of a state office, agency, board, or commission must indicate so in the field provided on the Initial Registration Statement. Once indicated, the state employee will not submit a filing fee with their Signature Page. Upon receipt of the Signature Page, the OLIG will ISTV the employee's agency to collect the filing fee.

REGISTRATION CYCLES

Registration cycles are the period over which an Engagement is active. All Engagements expire either annually (Executive and Retirement) or bi-annually (Legislative) on codified dates. Engagements expire on these dates regardless of when in a Registration Cycle it is registered. To continue Lobbying into the next cycle, the Lobbyist must renew the Engagement.

Legislative Engagement Registration Cycles

Legislative Engagement Registration Cycles coincide with each biennium of the general assembly (beginning January 1st of every odd numbered year and expiring December 31st of the following even numbered year). All Legislative Engagements expire December 31st of every even numbered year.

Legislative Engagement Registration Cycle Calendar		
Registration Cycle	Cycle Commencement Date	Cycle Expiration Date
2013-2014	January 1, 2013	December 31, 2014
2015-2016	January 1, 2015	December 31, 2016
2017-2018	January 1, 2017	December 31, 2018

[RC 101.72(F)]

Executive And Retirement System Engagement Registration Cycles

The Executive Agency and Retirement System Registration Cycles expire annually on January 31st.

Engagements Registered January 1st through January 31st

Engagements registered with a Date of Engagement between January 1st and January 31st expire the following year.

Jane registered an Executive Engagement with a Date of Engagement of January 17, 2013. Jane's Engagement will expire January 31, 2014.

Engagements Registered February 1st through December 31st

Engagements registered with a Date of Engagement between February 1st and December 31st expire January 31st of the following year.

John registered a Retirement System Engagement on August 31, 2013. John's Engagement will expire January 31, 2014.

[RC 121.62(F), 101.92(F)]

TERMINATING AN ENGAGEMENT

Lobbyists and Employers may unilaterally terminate an Engagement at any time.

Engagements may be terminated through either the Lobbyist's or the Employer's OLAC account. For step-by-step instructions, refer to the *OLAC Agent Tutorial* or the *OLAC Employer Tutorial* available at www.ohiolobbying.com.

Once an Engagement is terminated, the Lobbyist and Employer must file Activity & Expenditure Reports for the Reporting Period during which the Engagement was registered. The AER may be filed at any time following the termination date until the Reporting Period deadline.

On January 1st, ABC Engages Jane as its only Lobbyist. ABC terminates the Engagement May 15th. Both ABC and Jane must file January-April AER's by May 31st. Because the Engagement was active for 15 days of the May-August Reporting Period, each must also file a May-August AER. These AER's may be filed any time between May 15th and September 30th.

Note for Employers: An Employer may only file an AER early if all of its Engagements are terminated. If any Engagement remains registered, an Employer will not be able to file its AER until the end of the Reporting Period.

ABC has Engagements with two Lobbyists: John and Jane. ABC terminates its Engagement with John on February 21st, but its Engagement with Jane remains active. John will immediately be able to file his January-April AER. However, ABC will not be able to file its AER until May 1st—the end of the January-April Reporting Period.

RENEWING AN ENGAGEMENT

To continue an Engagement beyond its Registration Cycle, the Lobbyist may renew the Engagement. "Renewing" is a feature in OLAC that re-registers an Engagement without requiring a new Signature Page. The \$25.00 filing fee is still required for each Engagement renewal.

How To Renew

Lobbyists bear the responsibility of initiating the renewal process. The Lobbyist must log in to his or her OLAC account and select the Engagement to renew. For complete instructions on how to renew, refer to the *OLAC Registration Renewal Tutorial*, available at: www.ohiolobbying.com.

Date of Engagement

The Lobbyist must list the Date of Engagement as January 1st of the year that commences the next Registration Cycle for the type of Engagement being renewed.

A 2013-2014 Legislative Engagement is set to expire December 31, 2014. The renewal Date of Engagement for the 2015 registration is January 1, 2015. This Engagement will be registered through December 31, 2016.

A 2013 Executive Engagement is set to expire January 31, 2014. The renewal Date of Engagement for the 2014 registration is January 1, 2014. This Engagement will be registered through January 31, 2015.

Invoice and Filing Fee

No Signature Page (and thus no Employer signature) is required to renew an Engagement. Instead, OLAC will prompt the Lobbyist to print an Invoice. To complete the renewal process, a printed Invoice and \$25 filing fee must be delivered to the OLIG. Once a renewal is processed by the OLIG the Employer will receive an email notification that the Engagement is renewed.

When To Renew

Legislative Engagements

Legislative Engagements may be renewed beginning December 15th of every even numbered year. All legislative renewals must be submitted in OLAC no later than January 31st of the following year. All Invoices and filing fees must be received by the OLIG no later than February 10th of that year.

Legislative Renewal Timeline	
December 15 th , EVEN YR (e.g. 2014)	Lobbyists may begin renewing Legislative Engagements in OLAC.
January 31 st , ODD YR (e.g. 2015)	Renewals must be submitted in OLAC.
February 10 th , ODD YR (e.g. 2015)	Invoices and filing fees must be received by the OLIG.

Executive And Retirement System Engagements

Executive and Retirement System Engagements may be renewed beginning December 15th of every year. Such renewals must be submitted in OLAC no later than January 31st of the following year. All invoices and filing fees must be received by the OLIG no later than February 10th of that year.

Executive and Retirement System Renewal Timeline	
December 15 th , YR (e.g. 2014)	Lobbyists may begin renewing Executive and Retirement System Engagements in OLAC.
January 31 st , FOLLOWING YR (e.g. 2015)	Renewals must be submitted in OLAC.
February 10 th , FOLLOWING YR (e.g. 2015)	Invoices and filing fees must be received by the OLIG.

Failure To Renew

Engagements cannot be renewed past January 31st. Any Lobbyist who does not complete the renewal process within these deadlines must register the Engagement by filing a new Initial Registration Statement, Signature Page, and filing fee.

LOBBYING CARDS & ID ACCESS

Lobbying Cards

The OLIG will issue lobbying cards to each Lobbyist upon registration. The Lobbyist will be issued one card for each type of Engagement registered (Legislative, Executive, and Retirement System). Lobbying cards are valid until the Engagement is terminated or until the expiration of the Registration Cycle.

I.D. Card Access To Statehouse

Registered Lobbyists in good standing with the OLIG (registered with no delinquent AER's) may apply for building access identification cards for the purposes of accessing the Ohio Statehouse. I.D. cards are issued by the Capitol Square Review and Advisory Board ("CSRAB").

For the particular policies regarding I.D. cards contact CSRAB at 614-752-9777. To apply, complete an Ohio Statehouse Lobbyist Identification Application, available at: <http://www.jotform.us/sfriday/LobbyID>.

FAILURE TO REGISTER

No Lobbyist or Employer shall knowingly fail to register an Engagement. Failing to register an Engagement is a fourth degree misdemeanor, punishable by up to 30 days incarceration and a \$250 fine. See Chapter 8.

[R.C. 101.71(A), 121.61(A), 101.91(A), 101.99, 121.99, 2929.24, 2929.28]

PROHIBITIONS

Contingency Fee & State Lobbyist Compensation Prohibitions

There are two instances where Ohio law limits Lobbyist Compensation:

1. Ohio law prohibits a Lobbyist from accepting compensation that is contingent on the outcome of the Legislation or decision they are advocating. Executive Agency and Retirement System Lobbyists who are sales employees of vendors may accept compensation that is based on a commission based plan if other similarly situated sales employees who are not Lobbyists are compensated in the same manner.

ABC Corp seeks to prevent the Ohio EPA from passing a proposed rule. ABC Corp hires Lobbyist to advocate its position with the EPA. The terms on which Lobbyist accepts compensation from ABC Corp cannot be based on the outcome of the EPA's decision regarding the rule.

2. Compensation of outside or contract Legislative Lobbyists engaged by a state agency or institution of higher education is limited to \$50,000 per year without controlling board approval. This limit does not apply to Legislative Lobbyists directly employed by a state agency or institution of higher education.

[R.C. 101.711, 101.77, 121.67, and 101.97]

Individuals Guilty Of Certain Offenses Prohibited From Registering

Individuals who plead guilty to or who are convicted of the following offenses (or offenses substantially similar thereto), are prohibited from registering as a Lobbyist:

- Bribery - R.C. 2921.02
- Intimidation - R.C. 2921.03
- Retaliation - R.C. 2921.05
- Theft In Office - R.C. 2921.41
- Unlawful Interest In A Public Contract - R.C. 2921.42
- Engaging In A Pattern Of Corrupt Activity - 2923.32
- Conspiracy, complicity, or an attempt to commit any of the above offenses.

Individuals who plead guilty to or who are convicted of committing any of the following offenses (or offenses substantially similar thereto) while holding any federal, state, or local public office and the offense was in relation to their official duties are also prohibited from registering as a Lobbyist:

- Tampering With Records - R.C. 2913.42
- Intimidation Of Attorney, Victim, Or Witness - R.C. 2921.04
- Perjury - R.C. 2921.11
- Tampering With Evidence - R.C. 2921.12
- Obstructing Official Business - 2921.31
- Obstructing Justice - 2921.32
- Conspiracy, complicity, or an attempt to commit any of the above offenses.

The above are lifetime prohibitions.

[R.C. 101.721, 121.621, 101.921]

-End of Chapter-

[Blank Page]

Chapter 4: Expenditure & Reporting Basics

EXPENDITURE BASICS.....	41
WHAT IS AN EXPENDITURE.....	41
EXPENDITURE CATEGORIES.....	41
WHAT IS NOT AN EXPENDITURE	42
WHO IS A REPORTABLE PERSON.....	42
PROHIBITED EXPENDITURES.....	43
PRIOR OLIG NOTIFICATION OF EXPENDITURES ENCOURAGED.....	44
REPORTING BASICS.....	44
REPORTING OBLIGATIONS	44
HOW TO REPORT - ACTIVITY & EXPENDITURE REPORTS (AER'S).....	44
WHEN TO REPORT - REPORTING PERIODS.....	45
LOBBYIST REPORTING VS. EMPLOYER REPORTING	45
LOBBYIST EXPENDITURES VS. EMPLOYER EXPENDITURES: "POINT OF SALE" TEST	46
EXPENDITURE SPLITTING.....	46
NON-DISPUTED NOTICE: 10 DAY NOTIFICATION TO RECIPIENTS OF ITEMIZED EXPENDITURES...	46
RECIPIENT REIMBURSEMENT OF EXPENDITURES.....	47
LOBBYIST EXPENDITURES NOT ATTRIBUTABLE TO A SPECIFIC ENGAGEMENT	47
RECORD RETENTION OF EXPENDITURE RECEIPTS.....	47
AMENDING REPORTS.....	47
STATE EMPLOYEES	47

Expenditure & Reporting Basics

EXPENDITURE BASICS

What Is An Expenditure

An Expenditure is any payment, reimbursement, or gift of anything of value provided by a Lobbyist or an Employer for the use or benefit of a Reportable Person regardless of the purpose for which it is given. An Expenditure includes: services, gifts, meals and beverages, entertainment, ticketed events, lodging, and transportation.

Jane Lobbyist and Legislator Doe were college roommates and friends long before Legislator Doe was elected. Jane gave Legislator Doe a pair of concert tickets for her birthday. The tickets are an Expenditure even though it was not related to any Lobbying Activity.

An Expenditure provided to anyone personally associated with a Reportable Person (immediate family, significant other, friend, business partner) is for the benefit of the Reportable Person unless the Lobbyist or Employer has an independent relationship with the recipient that is separate from any personal association to the Reportable Person.

John Lobbyist gives Legislator Roe and his wife, Amy, tickets to a PGA tournament. Tickets are valued at \$26 each. Both the ticket provided to Legislator Roe and the ticket provided to Amy are Expenditures made for the benefit of Legislator Roe.

Employer ABC supplies electronics to a store owned by Legislator Roe's wife, Amy. As a holiday gift, ABC gave all of its customers, including Amy, a complimentary MP3 player. The MP3 player is not an Expenditure. ABC has an independent business relationship with Amy that is unrelated to her being Legislator Roe's wife.

[R.C. 101.70(D), 121.60(B), 101.90(B), 101.73(B), 121.63(B), 101.93(B)]

Expenditure Categories

For reporting purposes, all Expenditures fall under one of the following categories. Not all categories are applicable to each Engagement type. See Chapters 5 & 6 (Lobbyist and Employer Activity & Expenditure Reporting) for detailed information regarding each category and how it is to be reported relative to each Engagement type.

1. **Itemized Gift Expenditures**: Anything of value, excluding a meal or beverage, given to or made for the benefit of a Reportable Person that exceeds \$25.
2. **Itemized Meal/Beverage Expenditures**: A meal or beverage expenditure made for the benefit of a particular Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that person by the Lobbyist over the course of a year, exceeds \$50.
3. **Non-Itemized Meal/Beverage Expenditures**:
 - **Meal/Beverages Expenditures Under \$50**: A meal or beverage expenditure made for the benefit of a particular Reportable Person that, when aggregated

with all other meal/beverages made for the benefit of that person by the Lobbyist over the course of a year, does not exceed \$50.

- **Speaking Engagement Expenditures:** A meal or beverage expenditure provided to certain Reportable Persons participating in a panel, seminar, or speaking event.
 - **National Organization Conference Expenditures:** A meal or beverage expenditure provided for the benefit of certain Reportable Persons attending a meeting or conference of a National Organization to which a state agency pays membership dues.
4. **All-Invited Event Expenditures:** The cost of meals and beverages provided at an event to which all members of the general assembly are invited or to which all members of either chamber are invited.

What Is Not An Expenditure

Under Ohio's Lobbying Laws, the following are not considered an Expenditure and should not be reported to the OLIG:

1. Anything of value, excluding food and beverages, where the value of such item does not exceed \$25.00.* [Admin.Code 101-9-01(D), 101-11-01(G)]
2. Campaign contributions reported under R.C. Chapter 3517. [R.C.101.76(C), 121.66(B), 101.96(B)]
3. A contribution exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. [R.C. 101.70(D)(3), 121.60(B)(3), 101.90(B)(3)]
4. Any other thing of value that is available to the general public on the same terms as it is available to the recipient. [R.C. 101.70(D)(3), 121.60(B)(3), 101.90(B)(3)]
5. Any publication of a trade, industry, government, or professional association.* [R.C.101.76(A), 121.66(A), 101.96(A); Admin.Code 101-9-01(D), 101-11-01(G)]
6. Compensation paid to a Lobbyist by an Employer. [R.C. 101.73(C), 121.63(C), 101.93(C)]

**Does not apply to Retirement System Lobbying Expenditures.*

Who Is A Reportable Person

Who qualifies as a Reportable Person is determined by the type of Engagement and the type of Lobbying Activity conducted.

A **Legislative Reportable Person** is: any member of the general assembly or controlling board; legislative staff listed in **Appendix D**; the governor; the head of any department or agency listed in **Appendix C**; and any staff of the governor or department listed in **Appendix C** who is required to file a financial disclosure statement.

[R.C. 101.70(D), 101.70(E), Adm.Code 101-9-01(C)]

An **Executive Reportable Person** is: any elected executive official (governor, lieutenant governor, attorney general, secretary of state, auditor of state, treasurer of state), the head of any department or agency listed in **Appendix B** or **Appendix C**, or any staff of such department or agency who is required to file a financial disclosure statement.

[R.C. 121.60(B), 121.60(I), 121.60(L), 121.60(J), Adm.Code 101-11-01(F)]

A Retirement System Reportable Person is: any member of a board of a state Retirement System, a state retirement investment official, or any employee of a Retirement System whose position involves a substantial and material exercise of discretion in the investment of Retirement System funds.

[R.C. 101.90(B), 101.90(I)]

Prohibited Expenditures

Generally, all Reportable Persons are prohibited from accepting anything of value that is of such a character as to manifest a substantial and improper influence upon that person in regards to their official duties.

[R.C. 102.03(F)]

Based on the office of the Reportable Person, Lobbyists and Employers are prohibited from making certain types of Expenditures:

Members & Staff Of The General Assembly:

1. Cash & Cash Equivalents: Members and staff are prohibited from accepting any gift in the form of cash or the equivalent of cash. *E.g.* checks, gift cards, pre-paid credit cards.

[R.C. 102.031(C); Legislative Code of Ethics § 5(C)]

2. Honorariums: Members and staff are prohibited from accepting honorariums. A honorarium is any payment or gift made in consideration for a speech, publication, or attendance at a public or private event. Members and staff are prohibited from accepting an honorarium *unless*:
 - It is of a type customarily provided in connection with a bona fide business that began before the member or staff was elected or appointed.
 - It is of both a ceremonial nature and insignificant monetary value as to render it *de minimis* (under \$25).

Meals and beverages provided to a member or staff participating in a panel, seminar, or speaking engagement, as well as a reimbursement of actual travel expenses incurred in connection to such an event, are not considered honorariums and are not prohibited.

[R.C. 102.01, 102.03(H), 102.03(J)]

3. Travel & Lodging*: Members and staff are prohibited from accepting from a Lobbyist the payment of any expenses for travel or lodging; *except*:
 - Actual expenses incurred in connection to a meeting at which a member or staff participates in a panel, seminar, or speaking engagement, or at National Organization Conference.
 - Travel in an automobile less than 50 miles one way.

[R.C. 102.031(C), 102.03(H), 102.03(J); Legislative Code of Ethics § 7(E)]

4. **Meals & Beverages Greater Than \$75***: Members and staff are prohibited from accepting more than \$75.00 aggregated per calendar year as payment for meals and beverages from any particular Lobbyist; except meals and beverages provided:
 - To a member at meeting at which he or she participates in a panel, seminar, or speaking engagement, or at a National Organization Conference.
 - At a an All-Invited Event.

[R.C. 102.031(C); Legislative Code of Ethics § 5(B)(2)]

5. **Gifts Greater Than \$75***: Members and staff are prohibited from accepting a gift or any other thing of value that exceeds more than \$75.00 when aggregated with other gifts during that calendar year from any particular Lobbyist. Not included in this total are meals and beverages or the payment of expenses for travel in connection with a member's official duties.

[R.C. 102.031(C); Legislative Code of Ethics § 5(C)]

** Apply only to Expenditures from Legislative Agents, not Employers.*

Executive Agency Reportable Persons: Lobbyists and Employers are advised to check with each Executive Agency for specific policies concerning prohibited Expenditures.

Retirement System Reportable Persons: Retirement System Reportable Persons are prohibited from accepting any payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.

[R.C. 102.03(H)(2)]

Prior OLIG Notification Of Expenditures Encouraged

Prior to making large Expenditures or inviting Reportable Persons to an event, Lobbyists and Employers are encouraged to contact the OLIG to discuss any potential reporting requirements. A quick conversation with the OLIG may not only further promote the event/expenditure, but will allow recipients/invitees to accept/attend knowing that any reporting or financial disclosure obligations were reviewed by the OLIG.

REPORTING BASICS

Reporting Obligations

Lobbyists and Employers are required to report their Lobbying Activity and Expenditures to the OLIG three times each calendar year.

[R.C. 101.72(B), 101.73(A), 121.62(B), 121.63(A), 101.92(B), 101.93(A)]

How To Report - Activity & Expenditure Reports (AER's)

Lobbyists and Employers report their Lobbying Activity and Expenditures by submitting an Activity & Expenditure Report (AER) through their respective OLAC accounts. An AER is an electronic report generated by OLAC to assist Lobbyists and Employers in reporting all required information. *Both Lobbyists and Employers must separately submit AER's.*

[R.C. 101.73, 101.78, 121.63, 121.68, 101.93, 101.98]

When To Report - Reporting Periods

Each calendar year consists of three Reporting Periods: *January-April*, *May-August*, and *September-December*. AER's are due following each Reporting Period. Lobbyists and Employers may begin submitting AER's at the conclusion of each period or after an Engagement is terminated. The deadline to file an AER is the last day of the month that follows each Reporting Period.

Calendar of Reporting Periods and Corresponding AER Deadlines	
Reporting Period	Corresponding Deadline
January – April (January 1 st through April 30 th)	May 31 st
May – August (May 1 st through August 31 st)	September 30 th
September – December (September 1 st through December 31 st)	January 31 st of the following year
*If a deadline falls on a weekend or holiday, the deadline is the next business day.	

Lobbyist Reporting vs. Employer Reporting

Both Lobbyists and Employers must submit AER's. Lobbyists submit a separate AER for each Engagement. Employers submit a separate AER for each Engagement type that it employs a Lobbyist.

ABC Employer has both Legislative and Executive Engagements with Jane Lobbyist and John Lobbyist. At the end of each Reporting Period: Jane will file a Legislative AER and an Executive AER; John will file a Legislative AER and an Executive AER; ABC will file one Legislative AER and one Executive AER.

Dual Reporting of Lobbying Activity: Lobbying Activity conducted by a Lobbyist on behalf of an Employer may be reported on both the Lobbyist's and the Employer's AER.

ABC Employer has Legislative Engagements with both Jane Lobbyist and John Lobbyist. On Behalf of ABC, Jane lobbies "H.B. 1: Healthcare," while John lobbies "S.B. 7: Energy." Each will report the following Lobbying Activity on their respective AER's:

Jane's AER: H.B. 1: Healthcare.

John's AER: S.B. 7: Energy.

ABC's AER: H.B. 1: Healthcare, S.B. 7: Energy.

[R.C. 101.72(B), 121.62(B), 101.92(B)]

No Dual Reporting of Expenditures: An Expenditure must be attributed to either a Lobbyist or an Employer—never both. An Expenditure reported by a Lobbyist should never also be reported by the Employer. An Expenditure reported by an Employer should never also be reported by its Lobbyist.

[R.C. 101.73(C), 121.63(C), 101.93(C)]

Lobbyist Expenditures vs. Employer Expenditures: "Point Of Sale" Test

Lobbyist Expenditures are those directly paid for or provided by a Lobbyist. Conversely, Employer Expenditures are those directly paid for or provided by an Employer.

Point of Sale Test: To determine whether an Expenditure is attributable to a Lobbyist or an Employer, the OLIG uses a "point of sale" test. From the perspective of the recipient, the OLIG asks: "*at the time of the Expenditure, who would the recipient say paid for or provided the Expenditure?*"

Jane Lobbyist and the CEO of ABC Employer take Legislator Doe to dinner. When the check is delivered, the CEO pays using his credit card. The cost of Legislator Doe's meal is an Employer Expenditure as the Legislator would perceive the CEO paid for the meal.

Employer Reimbursements: Often, Lobbyists are reimbursed for an Expenditure by their Employer. A later reimbursement is not a factor for determining who made the Expenditure. If at the time of an Expenditure the recipient would perceive it as being provided by the Lobbyist, it is a Lobbyist Expenditure.

John Lobbyist meets with Legislator Doe on behalf of ABC Employer. John buys Legislator Doe a cup of coffee and is later reimbursed for the expense by ABC. The cost of the coffee is a Lobbyist Expenditure; Legislator Doe would perceive John as having provided the coffee.

[R.C. 101.73(C), 121.63(C), 101.93(C)]

Expenditure Splitting

Lobbyists and Employers may make an Expenditure in conjunction with other persons.

Lobbyists must report the name of any Reportable Person who accepts a Gift Expenditure with a value of over \$25.00. Lobbyists may not split Gift Expenditures to avoid disclosing a Reportable Person on an AER. An Expenditure that, in fact, is a single gift must be reported as such, even though a Lobbyist's proportionate share may be under \$25.00. The amount reported need only reflect the Lobbyist's share of the Expenditure's cost. See Chapter 5 for more on Lobbyist Expenditure Reporting.

John Lobbyist and two others pay for a round of golf for Legislator Doe. The entire cost of the round (green fees and cart) is a single gift valued at \$30. John's share of the Expenditure is \$10. Because the single gift is valued at over \$25, John must disclose Legislator Doe as the recipient of a gift in the amount of \$10 on his next AER.

Non-Disputed Notice: 10 Day Notification To Recipients Of Itemized Expenditures

Anytime a Reportable Person is individually named as an Expenditure recipient on an AER, the Lobbyist or Employer must provide a Non-Disputed Notice to that person at least ten days before filing the AER. The Non-Disputed Notice must be in writing and provide: (1) the date of the Expenditure, (2) the amount of the Expenditure, and (3) a description of the Expenditure. See [Appendix G](#) for a Model Non-Disputed Notice Form.

[R.C. 101.73(F), 121.63(G), 101.93(G)]

Recipient Reimbursement Of Expenditures

A Reportable Person may reimburse a Lobbyist or Employer for any Expenditure made for their benefit. If a reimbursement occurs prior to the end of a Reporting Period, no Expenditure will be reported. If a reimbursement occurs after an Expenditure is reported, the Lobbyist or Employer must amend their AER to reflect the reimbursement; it is recommended the OLIG be contacted in such a case.

Lobbyist Expenditures Not Attributable To A Specific Engagement

On occasion, a Lobbyist will make an Expenditure that is not directly attributable to a specific Engagement. Such Expenditures are viewed as goodwill which benefits all of the Lobbyist's Engagements. The Lobbyist must report the Expenditure and may do so in one of two ways: (1) attribute the entire Expenditure to one Engagement, or (2) divide and report the Expenditure amongst multiple Engagements.

Record Retention Of Expenditure Receipts

All Lobbyists and Employers must retain receipts or records of all Expenditures until December 31 of the second calendar year after the year in which the Expenditure is made.

Jane Lobbyist holds an All-Invited Event on June 27, 2013. Jane must maintain all records and receipts from the event until December 31, 2015.

[R.C. 101.73(E), 121.63(F), 101.93(F)]

Amending Reports

If at any point it is discovered that a Lobbyist or Employer omitted either Lobbying Activity or an Expenditure from an AER, an amended report must be filed. It is recommend the OLIG be contacted prior to amending a report.

State Employees

State employees who are registered Legislative Agents must only report Lobbying Activity, Expenditure reporting is not required.

[R.C. 101.72(E)]

-End of Chapter-

[Blank Page]

Chapter 5: Lobbyist Activity & Expenditure Reporting

LEGISLATIVE AGENT REPORTING	51
ACTIVITY REPORTING	51
EXPENDITURE REPORTING	52
EXECUTIVE AGENCY LOBBYIST REPORTING	56
ACTIVITY REPORTING	56
EXPENDITURE REPORTING	57
RETIREMENT SYSTEM LOBBYIST REPORTING	59
ACTIVITY REPORTING	60
EXPENDITURE REPORTING	60

Lobbyist Activity & Expenditure Reporting

This Chapter discusses how Lobbyists report Lobbying Activity and Expenditures in accordance with the Ohio Revised Code.

LEGISLATIVE AGENT REPORTING

Following each Reporting Period, every Legislative Agent must report his or her Legislative Lobbying Activity and any Expenditure that occurred during the period. To do so, the Agent must complete an Activity & Expenditure Report (AER). The Agent must submit a separate AER for each of his or her Legislative Engagements. AER's are accessible and must be submitted through the Agent's OLAC account.

[R.C. 101.72(B), 101.73(A), 101.73(B), 101.78(B)]

In part, a Legislative Agent's AER must disclose all Expenditures made for the benefit of a Legislative Reportable Person. To recap, any member of the general assembly or controlling board; legislative staff listed in [Appendix D](#); the governor; the head of any department listed in [Appendix C](#); and any staff of the governor or department listed in [Appendix C](#) who is required to file a financial disclosure statement is a Legislative Reportable Person.

[R.C. 101.70(E), 101.70(D), Adm.Code 101-9-01(C)]

Agent: Jane Lobbyist
Employer: ABC Corp

Reporting Period: Sep-Dec13
File Date: 1/13/2014
Confirmation: 20140113LUPA276358

I. Legislative Agent Activity
Please disclose specific bills and resolutions on which active advocacy occurred during this reporting period.

Bill/Resolution Number	For	Against
-CB AG05100005	-for John Doe for ODIC	
HB 1 Healthcare		-RS DJR 11
-JC Aging Rule No. 173-40-02 Eligibility for the PASSPORT program.		

*** ANY LEGISLATIVE TITLES APPEARING IN THE DISCLOSURE ABOVE ARE FOR INFORMATIONAL PURPOSES ONLY AND NOT INTENDED TO BE AN OFFICIAL OR EXCLUSIVE DESIGNATION OF ANY LEGISLATION CURRENTLY BEFORE OR ENACTED BY THE OHIO GENERAL ASSEMBLY.

II. Legislative Agent Expenditure Statement

A. Gifts

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013	Rep Legislator	MLS Ticket		10/15/2013	\$30.00
9/2/2013	Rep Legislator	MLS Ticket		11/15/2013	\$30.00
8/15/2013	Rep Legislator	Concert Ticket		10/1/2013	\$32.00

B. Meals and Beverages

Date	Recipient	Description	Legislation	Date Notified	Amount
8/13/2013	Doe Legislator	Dinner		10/1/2013	\$14.50

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly where invited

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013		MLS Reception			\$4,000.00
10/24/2013		Zoe Reception			\$2,600.00

D. Non-Itemized Meals and Beverages

Meals Under \$50	\$85.00
Speaking Engagements	\$35.00
National Conference Meals	\$0.00

Total Aggregate (A + B + C + D) \$6,726.50

Activity Reporting

Agents must disclose all Legislative Lobbying Activity that occurs during a Reporting Period.

What Is Legislative Lobbying Activity: Influencing the passage, modification, or defeat of Legislation through Direct Communication with any Legislative Reportable Person.

[R.C. 101.70(E), 101.70(F)]

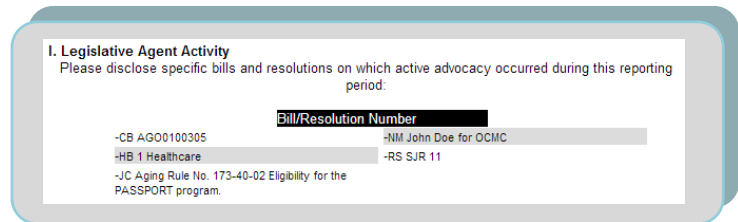
What Is Considered Legislation: Legislation is any of the following:

1. Any matter pending before the general assembly, including: bills, resolutions, amendments, nominations, and rules before JCARR.
2. Any matter before the controlling board.
3. The executive approval of any bill acted upon by the general assembly.

[RC 101.70(B)]

How To Report:

1. **Bills:** OLAC will provide a drop-down menu of Senate and House Bills, the Agent will select the bills lobbied.
2. **Resolutions:** The Agent will type in the resolution number.
3. **Nominations:** The Agent will type in the nominee and to what body.
4. **JCARR Decisions:** The Agent must type the agency, rule number, and title that corresponds to the activity.
5. **Controlling Board Decisions:** The Agent will type in the decision number as it appeared on the controlling board agenda.



I. Legislative Agent Activity
Please disclose specific bills and resolutions on which active advocacy occurred during this reporting period:

Bill/Resolution Number

-CB AGO0100305 -NM John Doe for OCMC
-HB 1 Healthcare -RS SJR 11
-JC Aging Rule No. 173-40-02 Eligibility for the PASSPORT program.

Expenditure Reporting

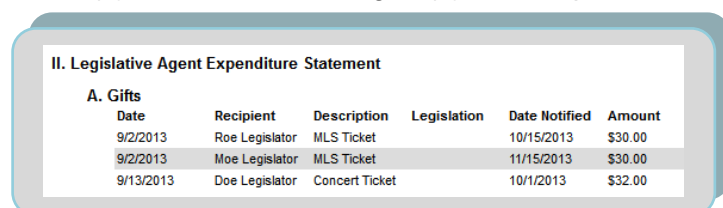
The total amount of all Legislative Agent Expenditures that occur during a Reporting Period must be reported. All Agent Expenditures fall within one of four categories and must be reported as follows:

1. Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage, given to or made for the benefit of a Legislative Reportable Person that exceeds \$25.00 in value. Gift Expenditures include (but are not limited to): plaques, awards, tickets, entertainment, and travel and lodging (when permissible).

The \$25 Threshold: The \$25 threshold value is per expenditure; it is not aggregated with any other expenditure provided to the Reportable Person over the course of the year. As such, multiple *de minimis* items may be provided. However, Agents must be mindful that: (1) members and legislative staff are prohibited from accepting more than \$75 in aggregated gifts per year from a Legislative Agent, and (2) Legislative Reportable Persons must disclose, as the source of a gift on their annual Financial Disclosure Statement, an Agent who provides more than \$25 in aggregated gifts per year (even if individual gifts are valued at less than \$25).

How to Report: The Agent must list: (1) the name of the Legislative Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) the specific Legislation related to the gift (if any).



II. Legislative Agent Expenditure Statement

A. Gifts

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013	Roe Legislator	MLS Ticket		10/15/2013	\$30.00
9/2/2013	Moe Legislator	MLS Ticket		11/15/2013	\$30.00
9/13/2013	Doe Legislator	Concert Ticket		10/1/2013	\$32.00

Non-Disputed Notice: At

least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report. See [Appendix G](#) for a model notice form.

[R.C. 101.73(B), 102.031(C), 102.02(A); 1995 JLEC Advisory Op. 95-008]

2. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Legislative Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that person by the Agent over the course of a year, exceeds \$50.

Expenditures Not Included In The \$50

Threshold:

Meal/Beverage Expenditures when provided in the following situations are not included for purposes of the \$50 threshold: (1) where a member of the general assembly participates in a panel, seminar, or speaking engagement, (2) where a member of the general assembly attends a National Conference, or (3) where a Reportable Person attends an All-Invited Event. Meal/Beverage Expenditures provided in these situations are reported separately (discussed below).

Jane Lobbyists provides Legislator Doe with a \$25 meal on 9/1. She again provides Legislator Doe a \$25 meal on 9/5. Thereafter, Jane meets Legislator Doe on 9/13 and pays for a \$14.50 dinner.

Jane will not report either of the first two meals as Itemized Meal/Beverage Expenditures. The aggregate total of these meals did not exceed the \$50 threshold for when meal/beverage expenditures must be itemized. (The value of these meals, however, will be reported as Non-Itemized Meal/Beverage Expenditures, discussed below).

Jane will report the 9/13 dinner as an Itemized Meal/Beverage Expenditure in the amount of \$14.50. Prior to this dinner, Jane had already provided Legislator Doe \$50 in aggregated meal/beverages. For the remainder of the calendar year, any meal/beverage Jane provides Legislator Doe must be itemized.

How To Report: The Agent must disclose: (1) the name of the Legislative Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific Legislation related to the meal/beverage (if any).

B. Meals and Beverages

Date	Recipient	Description	Legislation	Date Notified	Amount
9/13/2013	Doe Legislator	Dinner		10/1/2013	\$14.50

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report. See [Appendix G](#) for a model notice form.

Note: Agents are to be mindful that members and staff of the general assembly are prohibited from accepting more than \$75 in Meal/Beverage Expenditures over the course of a year from any particular Legislative Agent.

[R.C. 101.73(B), 101.73(D), 102.031(C); Legislative Code of Ethics § 5(B)(2)]

3. All-Invited Event Expenditures:

What Is An All-Invited Event: An event to which all members of the general assembly are invited or to which all members of either chamber are invited. An event need not be exclusive to general assembly members to be considered an All-Invited Event.

How To Report: Unless the event provides some type of entertainment value, only the following is disclosed: (1) the total amount of the meals/beverages provided, (2) the date, and (3) a description of the event. All Reportable Persons, including staff, who

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly where invited

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013		MLS Reception			\$4,000.00
10/24/2013		Zoo Reception			\$2,500.00

attend are reported in this manner. The expenditure is not itemized and is not attributable to an aggregate amount for any other type of Expenditure.

Note: Where individuals other than Legislative Reportable Persons attend an event, only the amount of meal/beverages attributable to Legislative Reportable Persons need be disclosed if the Agent keeps records to substantiate a per person cost.

All-Invited Event Coupled With Entertainment: Where an All-Invited Event is coupled with some type of entertainment, the value of the entertainment must be separately reported as an Itemized Gift Expenditure for each Legislative Reportable Person who attends. This most commonly arises where an All-Invited Event is held at a museum, stadium, or other venue that requires ticketed admission.

Jane Lobbyist holds an All-Invited Event at a MLS stadium during a soccer game. A ticket is required to enter the stadium regardless of whether the attendee uses the ticket's assigned seat. The face value price of the ticket is \$30. The total cost for the meals/beverages provided at the event is \$4,000. Jane will report the cost of the meals/beverages (\$4,000) under the All-Invited section of her AER. Additionally, she will report an Itemized Gift Expenditure (\$30) for each Reportable Person who accepts a complimentary ticket to the event.

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly where invited

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013		MLS Reception			\$4,000.00
10/24/2013		Zoo Reception			\$2,500.00

II. Legislative Agent Expenditure Statement

A. Gifts

Date	Recipient	Description	Legislation	Date Notified	Amount
9/2/2013	Roe Legislator	MLS Ticket		10/15/2013	\$30.00
9/2/2013	Moie Legislator	MLS Ticket		11/15/2013	\$30.00

Jane Lobbyist holds an All-Invited Event at a local zoo. The face value price of admission to the zoo is \$10. The total cost for the meals/beverages provided at the event is \$2,500. Jane will only report the cost meals/beverages (\$2,500) under the All-Invited section of her AER. The cost of admission (\$10) is under \$25, unless the recipient receives more than two admissions, the ticket(s) need not be reported as a Gift Expenditure.

[R.C. 101.73(D)]

4. **Non-Itemized Meal/Beverage Expenditures:** There are three categories of Non-Itemized Meal/Beverage Expenditures that must be separately disclosed.

a. **Meal/Beverage Expenditures Under \$50:**

What Are Meal/Beverage Expenditures Under \$50: An Expenditure for a meal or beverage made for the benefit of a particular Legislative Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that person by the Agent over the course of a year, does not exceed \$50.

Jane Lobbyist makes the following Meal/Beverage Expenditures: \$5 for Legislator Roe, \$25 for Legislator Doe, \$40 for Legislator Moe, and another \$25 for Legislator Doe. Jane will report all these expenditures by disclosing \$95.00 in the Meals/Beverages Under \$50 section of her AER. The recipients are not disclosed.

How to Report: The Agent must disclose only the total dollar amount of ALL Meal/Beverage Expenditures Under \$50.

The \$50 Threshold: Once an Agent exceeds the \$50 threshold for a particular Legislative Reportable Person, any additional Meal/Beverage Expenditures for that person that occurs in the same calendar year must be reported as an Itemized Meal/Beverage Expenditure.

[R.C. 101.73(B)]

b. **Speaking Engagement Expenditures:**

What Is A Speaking Engagement Expenditure: A Meal/Beverage Expenditure provided to a member of the general assembly participating in a panel, seminar, or speaking event. This expenditure category does not apply to legislative staff.

How To Report: The Agent must disclose only the total dollar amount of ALL Speaking Engagement Expenditures made during the Reporting Period; recipients need not be disclosed.

Jane Lobbyist provides a \$15 dollar meal to Legislator Doe while she participated in a seminar regarding renewable energy. Jane also provides a \$20 meal to Legislator Moe while he spoke at an event regarding environmental programs. Jane will report these expenditures by disclosing \$35.00 under the Speaking Engagements section of her AER. The recipients—Legislators Doe and Moe—are not disclosed.

[R.C. 101.73(B)]

c. **National Organization Conference Expenditures:**

What Is A National Conference Expenditure: A Meal/Beverage Expenditure provided for the benefit of a general assembly member attending a meeting or conference of a National Organization to which a state agency pays membership dues. This expenditure category does not apply to legislative staff.

How To Report: The Agent must disclose the total dollar amount of all National Organization Conference Expenditures made during the Reporting Period; recipients are not disclosed.

D. Non-Itemized Meals and Beverages
Meals Under \$50: \$95.00
Speaking Engagements: \$35.00
National Conference Meals: \$0.00

[R.C. 101.73(B)]

EXECUTIVE AGENCY LOBBYIST REPORTING

Following each Reporting Period, each Executive Agency Lobbyist must report his or her Executive Lobbying Activity and any Expenditures that occurred during the period. To do so, the Lobbyist must complete an Activity & Expenditure Report (AER). The Lobbyist must submit a separate AER for each of his or her Executive Engagements. AER's are accessible and must be submitted through the Lobbyist's OLAC account.

[R.C. 121.62(B), 121.63(A), 121.63(B), 121.68(D)]

In part, an Executive Agency Lobbyist's AER must disclose all Expenditures made for the benefit of an Executive Agency Reportable Person. To recap, any elected executive official (governor or lieutenant governor, attorney general, secretary of state, auditor of state, treasurer of state), the head of any department or agency listed in [Appendix B](#) or [Appendix C](#), or any staff of such department or agency who is required to file a financial disclosure statement is an Executive Agency Reportable Person.

[R.C. 121.60(B)]

Agent: John Lobbyist
Employer: ABC Corp.

Reporting Period: Sep-Dec13
File Date: 1/10/2014
Confirmation: 20140110EUPA276352

I. Executive Agency Lobbying Activity
Please disclose specific agency decisions on which active advocacy occurred during this reporting period:
Agency Decision: [REDACTED]
EPA Admin Rule 3745-71 (Clean Air)

II. Executive Agency Lobbying Expenditure Statement

A. Gifts

Date	Recipient	Description	Decision	Date Notified	Amount
11/15/2013	Director A. Roe	Golf Outing		12/1/2013	\$40.00

B. Itemized Meals and Beverages

Date	Recipient	Description	Decision	Date Notified	Amount
10/24/2013	Dep. Dir. B. Doe	Lunch		10/25/2013	\$17.00

C. Non-Itemized Meals and Beverages

Meals Under \$50: \$95.00
Speaking Engagements: \$35.00
National Conference Meals: \$0.00

Total Aggregate (A + B + C) \$187.00

Activity Reporting

Executive Agency Lobbyists must report all Executive Agency Lobbying Activity that occurs during a Reporting Period.

What Is Executive Agency Lobbying Activity: Promoting, opposing, or otherwise influencing the outcome of an Executive Agency Decision through Direct Communication with any Executive Agency Reportable Person.

[R.C. 121.60(E)(2), 121.60 (H), and 121.60 (I); Adm.Code 101-11-01(F)]

What Is Considered An Executive Agency Decision: An Executive Agency Decision is any of the following:

1. A decision of an Executive Agency regarding an expenditure of state funds or an award of any contract, grant, lease, or other financial arrangement under which state funds are distributed or allocated.
2. A regulatory decision of an Executive Agency, or any board or commission of the State.
 - A regulatory decision is one that has broad and universal application to all persons subject to the jurisdiction of the agency, board, or commission; including an administrative rule, bulletin, directive, or policy statement.
 - A regulatory decision is not an Executive Agency Decision when it is made solely with respect to named persons.

[R.C. 121.60(G); Adm.Code 101-11-01(C)]

How To Report: Lobbyists must disclose the name of the Executive Agency and a decision number (if applicable) or a general description of the decision.

I. Executive Agency Lobbying Activity
Please disclose specific agency decisions on which active advocacy occurred during this reporting period:

Agency Decision
-EPA Admin Rule 3745-71 (Clean Air)

Expenditure Reporting

The total amount of all Executive Agency Lobbyist Expenditures that occur during a Reporting Period must be reported. Each Executive Agency may have particular rules regarding whether Expenditures may be accepted. Executive Agency Lobbyists are advised to contact the specific Executive Agency prior to making an Expenditure. Where allowed, all Executive Agency Lobbyist Expenditures fall within one of three categories and must be reported as follows:

1. Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage, given to or made for the benefit of a Reportable Person that exceeds \$25.00 in value. Gift Expenditures include (but are not limited to): plaques, awards, tickets, entertainment, and travel and lodging.

The \$25 Threshold: The \$25 threshold value is per expenditure; it is not aggregated with any other expenditure provided to the Executive Agency Reportable Person over the course of the year. As such, multiple *de minimis* items may be provided. However, Lobbyists must be mindful that Executive Agency Reportable Persons must disclose, as the source of a gift on their annual Financial Disclosure Statement, anyone who provides more than \$75 in aggregated gifts over the course the year for their benefit.

How to Report: The Lobbyist must list: (1) the name of the Executive Agency Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) any specific decision related to the gift (if any).

II. Executive Agency Lobbying Expenditure Statement

A. Gifts

Date	Recipient	Description	Decision	Date Notified	Amount
11/15/2013	Director A. Roe	Golf Outing		12/1/2013	\$40.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 121.63(B), 102.02(A); Adm.Code 101-11-01(G); 1994 Ohio Ethics Commission Advisory Op. 94-003]

2. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Executive Agency Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that particular person by the Lobbyist over the course of a year, exceeds \$50.

Expenditures Not Included In The \$50 Threshold: Meal/Beverage Expenditures when provided in the following situations are not included for purposes of the \$50 threshold: (1) where an Executive Agency Reportable Person participates in a panel, seminar, or

speaking engagement, or (2) where an Executive Agency Reportable Person attends a National Conference. Meal/Beverage Expenditures provided in these situations are reported separately as Non-Itemized Expenditures (discussed in the next section).

How To Report: The Lobbyist must disclose: (1) the name of the Executive Agency Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific Executive Agency Decision related to the meal/beverage (if any).

B. Itemized Meals and Beverages					
Date	Recipient	Description	Decision	Date Notified	Amount
10/24/2013	Dep. Dir. B. Doe	Lunch		10/25/2013	\$17.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 121.63(B)]

3. Non-Itemized Meal/Beverage Expenditures:

a. Meal/Beverage Expenditures Under \$50:

What Are Meal/Beverage Expenditures Under \$50: An Expenditure for a meal or beverage made for the benefit of a particular Executive Agency Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that particular person by the Lobbyist over the course of a year, does not exceed \$50.

How to Report: The Lobbyist must disclose only the total dollar amount of ALL Meal/Beverage Expenditures Under \$50.

John Lobbyist makes the following Meal/Beverage Expenditures for Reportable Persons: \$5 for A. Roe, \$25 for B. Doe, \$40 for C. Moe, and another \$25 for B. Doe. John will report all these expenditures by disclosing \$95.00 in the Meals/Beverages Under \$50 section of his AER. The recipients are not disclosed.

The \$50 Threshold: Speaking Engagement and National Conference Expenditures are not included for purposes of calculating the \$50 threshold. Once a Lobbyist exceeds the \$50 threshold for a particular Executive Agency Reportable Person, any additional Meal/Beverage Expenditure for that person must be reported as an Itemized Meal/Beverage Expenditure.

[R.C. 121.63(B)]

b. Speaking Engagement Expenditures:

What Is A Speaking Engagement Expenditure: Meal/Beverages provided to an Executive Agency Reportable Person participating in a panel, seminar, or speaking event.

John Lobbyist provides a \$15 dollar meal to Deputy Director Doe while she participated in a seminar regarding renewable energy. John also provides a \$20 meal to Director Moe while he spoke at an event regarding environmental programs. John will report these expenditures by disclosing \$35.00 under the Speaking Engagements section of his AER. The recipients are not disclosed.

How To Report: The Lobbyist must disclose only the total dollar amount of ALL Speaking Engagement Expenditures made during the Reporting Period; recipients need not be disclosed.

[R.C. 121.63(B)]

c. National Conference Expenditures:

What Is A National Conference Expenditure: A Meal/Beverage Expenditure provided for the benefit of an Executive Agency Reportable Person attending a meeting or conference of a National Organization to which a state agency pays membership dues.

How To Report: The Lobbyist must list the total dollar amount of all National Conference Expenditures made during the Reporting Period; recipients are not disclosed.

[R.C. 121.63(B)]

C. Non-Itemized Meals and Beverages
 Meals Under \$50: \$95.00
 Speaking Engagements: \$35.00
 National Conference Meals: \$0.00

RETIREMENT SYSTEM LOBBYIST REPORTING

Following each Reporting Period, each Retirement System Lobbyist must report his or her Retirement System Lobbying Activity and any Expenditures that occurred during the period. To do so, the Lobbyist must complete an Activity & Expenditure Report (AER). The Lobbyist must submit a separate AER for each of his or her Retirement System Engagements. AER's are accessible and must be submitted through the Lobbyist's OLAC account.

[R.C. 101.92(B), 101.93(A), 101.93(B) 101.98(C)]

In part, a Retirement System Lobbyist's AER must disclose all Expenditures made for the benefit of a Retirement System Reportable Person. To recap, members of a state Retirement System board, state retirement investment officials, and employees of a Retirement System whose position involves a substantial and material exercise of discretion in the investment of Retirement System funds are Retirement System Reportable Persons.

[R.C. 101.90(B)]

Agent:
Employer:

Reporting Period:
File Date:
Confirmation:

I. Retirement Agent Activity
Please disclose specific system decisions on which active advocacy occurred during this reporting period

System Decision
SERS Pension Reform Implementation
STRS Defined Contribution Plan
STRS Retirees Health Care

II. Retirement System Agent Expenditure Statement

A. Gifts
Date Recipient Description Decision Date Notified Amount

B. Meals and Beverages
Date Recipient Description Decision Date Notified Amount

C. Non-Itemized Meals and Beverages
Meals Under \$50: \$0.00

Total Aggregate (A + B + C) \$0.00
No Expenditures

Activity Reporting

Retirement System Lobbyists must report all Retirement System Lobbying Activity that occurs during a Reporting Period.

What is Retirement System Lobbying Activity: Influencing the outcome of a Retirement System Decision through Direct Communication with any Retirement System Reportable Person.

[R.C. 101.90(I)]

What Is A Retirement System Decision: A decision of: (1) the Public Employees Retirement System, (2) the Ohio Police and Fire Pension Fund, (3) the State Teachers Retirement System, (4) the School Employees Retirement System, or (5) the State Highway Patrol Retirement System, regarding the investment of funds or the award of a contract to a placement agent or investment manager.

[R.C. 101.90(F), 101.90(G)]

How To Report: The Lobbyist must disclose the Retirement System lobbied and a generic description of the decision. *E.g. STRS: Defined Contribution Plan.*

Expenditure Reporting

The total amount of all Retirement System Lobbyist Expenditures that occur during a Reporting Period must be reported.

Lobbyists must keep in mind that Retirement System Reportable Persons are prohibited from accepting any payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages. Each Retirement System may have further rules regarding whether Expenditures may be accepted. Prior to making any type of Expenditure, Retirement System Lobbyists are advised to contact the specific Retirement System.

[R.C. 102.03(H)(2)]

Where Expenditures are allowed, all fall within one of three categories and must be reported as follows:

1. Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage, given to or made for the benefit of a Retirement System Reportable Person.

How to Report: The Lobbyist must list: (1) the name of the Retirement System Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) the specific decision related to the gift (if any).

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.90(B), 101.93(B)]

2. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Retirement System Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that particular person by the Lobbyist over the course of a year, exceeds \$50.

How to Report: The Lobbyist must disclose: (1) the name of the Retirement System Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific decision related to the meal/beverage (if any).

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.93(B)]

3. Non-Itemized Meal/Beverage Expenditures Under \$50:

What Are Non-Itemized Meal/Beverage Expenditures Under \$50: An Expenditure for a meal or beverage made for the benefit of a particular Retirement System Reportable Person that, when aggregated with all other meal/beverages made for the benefit of that particular person by the Lobbyist over the course of a year, does not exceed \$50.

How To Report: The Lobbyist must disclose only the total dollar amount of all Meal/Beverage Expenditures Under \$50.

The \$50 Threshold: Once a Lobbyist exceeds the \$50 threshold for a particular Retirement System Reportable Person, any additional Meal/Beverage Expenditure for that person must be reported as an Itemized Meal/Beverage Expenditure.

[R.C. 101.93(B)]

-End of Chapter-

[Blank Page]

Chapter 6: Employer Activity & Expenditure Reporting

EMPLOYER OF A LEGISLATIVE AGENT REPORTING	65
ACTIVITY REPORTING	65
EXPENDITURE REPORTING	66
EMPLOYER OF AN EXECUTIVE AGENCY LOBBYIST REPORTING.....	68
ACTIVITY REPORTING	69
EXPENDITURE REPORTING	69
EMPLOYER OF A RETIREMENT SYSTEM LOBBYIST REPORTING.....	71
ACTIVITY REPORTING	71
EXPENDITURE REPORTING	72

Employer Activity & Expenditure Reporting

This Chapter discusses how Employers report Lobbying Activity and Expenditures in accordance with the Ohio Revised Code.

EMPLOYER OF A LEGISLATIVE AGENT REPORTING

Following each Reporting Period, every Employer of a Legislative Agent must report its Legislative Lobbying Activity and any Expenditures it made during the period. To do so, the Employer must complete an Activity & Expenditure Report (AER). The Employer will submit one AER for all of its Legislative Engagements. AER's are accessible and must be submitted through the Employer's OLAC account.

[R.C. 101.72(B), 101.73(A), 101.73(B), 101.78(B)]

In part, an Employer's AER must disclose all Expenditures it made for the benefit of a Legislative Reportable Person. To recap, a Legislative Reportable Person is any member of the general assembly or controlling board; any legislative staff listed in [Appendix D](#); the governor; the head of any department listed in [Appendix C](#); and any staff of the governor or department listed in [Appendix C](#) who is required to file a financial disclosure statement.

[R.C. 101.70(E), 101.70(D), Adm.Code 101-9-01(C)]

Employer: ABC Corp.

Reporting Period: Sep-Dec13
File Date: 1/14/2014
Confirmation: 20140114LUP276360

I. List of Agents
Jane Lobbyist
John Lobbyist

II. Legislative Employer Activity
Please disclose specific bills and resolutions on which active advocacy occurred during this reporting period.

Bill/Resolution Number	Description
CB AG00100305	Bill John Doe for OCMC
HB 1 Healthcare	RS SJR 11
JC Aging Rule No. 173-40-02 Eligibility for the PASSPORT program.	SB 7 Energy

*** ANY LEGISLATIVE TITLES APPEARING IN THE DISCLOSURE ABOVE ARE FOR INFORMATIONAL PURPOSES ONLY AND NOT INTENDED TO BE AN OFFICIAL OR EXCLUSIVE DESIGNATION OF ANY LEGISLATION CURRENTLY BEFORE OR ENACTED BY THE OHIO GENERAL ASSEMBLY.

III. Legislative Expenditure Statement

A. Gifts

Date	Recipient	Description	Legislation	Date Notified	Amount
12/8/2013	Rep Legislator	NFL Ticket		12/15/2013	\$70.00
12/8/2013	Rep Legislator	2 NFL Tickets		12/15/2013	\$140.00

B. Meals and Beverages

Date	Recipient	Description	Legislation	Date Notified	Amount
9/25/2013	Rep Legislator	Dinner		12/15/2013	\$37.00

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly were invited.

Date	Description	Amount
9/2/2013	Fair Reception	\$1,500.00
12/8/2013	NFL Reception	\$6,000.00

D. Non-Itemized Meals and Beverages

National Conference Meals: \$0.00

Total Aggregate (A + B + C + D) \$7,747.00

Activity Reporting

Employers of Legislative Agents must disclose all Legislative Lobbying Activity that any of its Agents conducted on its behalf during a Reporting Period. Employers are advised to communicate with their Agents regarding the activity that must be disclosed.

What Is Legislative Lobbying Activity: Influencing the passage, modification, or defeat of Legislation through Direct Communication with any Legislative Reportable Person.

[R.C. 101.70(E), 101.70(F)]

What Is Considered Legislation: Legislation is any of the following:

1. Any matter pending before the general assembly, including: bills, resolutions, amendments, nominations, and rules before JCARR.
2. Any matter before the Controlling Board.
3. The executive approval of any bill acted upon by the general assembly.

[RC 101.70(B)]

How To Report:

1. **Bills:** OLAC will provide a drop-down menu of Senate and House Bills, the Employer will select the bills lobbied.
2. **Resolutions:** The Employer will type in the resolution number.
3. **Nominations:** The Employer will type in the nominee and to what body.
4. **JCARR Decisions:** The Agent must type the agency, rule number, and title that corresponds to the activity.
5. **Controlling Board Decisions:** The Employer will type in the decision number as it appeared on the Controlling Board Agenda.

II. Legislative Employer Activity	
Please disclose specific bills and resolutions on which active advocacy occurred during this reporting period:	
Bill/Resolution Number	Description
-CB AG00100305	-NM John Doe for OCMC
-HB 1 Healthcare	-RS SJR 11
-JC Aging Rule No. 173-40-02 Eligibility for the PASSPORT program.	-SB 7 Energy

Expenditure Reporting

The total amount of all Employer Expenditures made during a Reporting Period must be reported. All Employer Expenditures fall within one of four categories and must be reported as follows:

1. Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage, given to or made for the benefit of a Legislative Reportable Person that exceeds \$25.00 in value. Gift Expenditures include (but are not limited to): plaques, awards, tickets, entertainment, and travel and lodging.

The \$25 Threshold: The \$25 threshold value is per expenditure; it is not aggregated with any other expenditure provided to the Reportable Person over the course of the year. As such, multiple *de minimis* items may be provided. However, Employers must be mindful that Legislative Reportable Persons must disclose, as the source of a gift on their annual Financial Disclosure Statement, any person or entity that provides more than \$75 in aggregated gifts during the course of a calendar year.

How to Report: The Employer must list: (1) the name of the Legislative Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) the specific Legislation related to the gift (if any).

III. Legislative Expenditure Statement					
A. Gifts					
Date	Recipient	Description	Legislation	Date Notified	Amount
12/8/2013	Roe Legislator	NFL Ticket		12/15/2013	\$70.00
12/8/2013	Moe Legislator	2 NFL Tickets		12/15/2013	\$140.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.73(B), 102.031(C), 102.02(A)]

2. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Legislative Reportable Person excluding those provided to members of the general assembly in conjunction with a National Organization Conference (such Expenditures are reportable but are not itemized, see below).

Unlike Legislative Agents, there is no \$50 threshold for Employers who provide meal/beverages to a Legislative Reportable Person. Meal/Beverage Expenditures provided by an Employer are reportable from \$1.

How To Report: The Employer must disclose: (1) the name of the Legislative Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific Legislation related to the meal/beverage (if any).

B. Meals and Beverages					
Date	Recipient	Description	Legislation	Date Notified	Amount
9/25/2013	Doe Legislator	Dinner		12/15/2013	\$37.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.73(B), 101.73(D), 1995 JLEC Advisory Op. No. 95-007, at 4.]

3. All-Invited Event Expenditures:

What Is An All-Invited Event: An event to which all members of the general assembly are invited or to which all members of either chamber are invited. An event need not be exclusive to general assembly members to be considered an All-Invited Event.

How To Report: Unless the event provides some type of entertainment value, only the following is disclosed: (1) the total amount of the meals/beverages provided, (2) the date, and (3) a description of the event. All Legislative Reportable Persons, including staff, who attend are reported in this manner. The expenditure is not itemized and is not attributable to an aggregate amount for any other type of Expenditure.

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly were invited.		
Date	Description	Amount
9/5/2013	Fair Reception	\$1,500.00
12/8/2013	NFL Reception	\$6,000.00

Note: Where individuals other than Legislative Reportable Persons attend an event, only the amount of meal/beverages attributable to Legislative Reportable Persons need be disclosed if the Agent keeps records to substantiate a per person cost.

All-Invited Event Coupled With Entertainment: Where an All-Invited Event is coupled with some type of entertainment, the value of the entertainment must be separately reported as an Itemized Gift Expenditure for each Legislative Reportable Person who attends. This most commonly arises where an All-Invited Event is held at a museum, stadium, or other venue that requires ticketed admission.

ABC Employer holds an All-Invited Event at a NFL stadium during a football game. A ticket is required to enter the stadium regardless of whether the attendee uses the ticket's assigned seat. The face value price of the ticket is \$70. The total cost for the meals/beverages provided at the event is \$6,000. ABC will report the cost of the meals/beverages (\$6,000) under the All-Invited section of its AER. Additionally, it will report an Itemized Gift Expenditure (\$70) for each Reportable Person who attends the event.

ABC Employer holds an All-Invited Event at a local fair. The face value price of admission to the fair is \$10. The total cost for the meals/beverages provided at the event is \$1,500. ABC will only report the cost meals/beverages (\$1,500) under the All-Invited section of its AER. The cost of admission (\$10) is under \$25, thus it need not be reported as a Gift Expenditure.

[R.C. 101.73(D)]

4. Non-Itemized National Organization Conference Meal/Beverage Expenditures:

What Is A National Organization Conference Meal/Beverage Expenditure: A Meal/Beverage Expenditure provided for the benefit of a member of the general assembly attending a meeting or conference of a National Organization to which a state agency pays membership dues.

How To Report: The Employer must disclose the total dollar amount of all National Organization Conference Expenditures made during the Reporting Period; recipients are not disclosed.

D. Non-Itemized Meals and Beverages
National Conference Meals: \$0.00

[See 1995 JLEC Advisory Op. No. 95-007, at 4.]

EMPLOYER OF AN EXECUTIVE AGENCY LOBBYIST REPORTING

Following each Reporting Period, each Employer of an Executive Agency Lobbyist must report its Executive Lobbying Activity and any Expenditures that occurred during the period. To do so, the Employer must complete an Activity & Expenditure Report (AER). The Employer will submit one AER for all of its Executive Engagements. AER's are accessible and must be submitted through the Employer's OLAC account.

[R.C. 121.62(B), 121.63(A), 121.63(B), 121.68(D)]

In part, an Employer of an Executive Agency Lobbyist's AER must disclose all Expenditures made for the benefit of an Executive Reportable Person. To recap, any elected executive agency official (governor or lieutenant governor, attorney general, secretary of state, auditor of state,

Employer: ABC Corp.

Reporting Period: Sep-Dec13
File Date: 1/10/2014
Confirmation: 20140110EUIPE276356

I. List of Agents
John Lobbyist

II. Executive Agent Activity
Please disclose specific agency decisions on which active advocacy occurred during this reporting period.

Agency Decision
ERA Adm Rule 3745-71 (Clean Air)

III. Executive Employer Expenditure Statement

A. Gifts						
Date	Recipient	Description	Decision	Date Notified	Amount	
12/10/2013	Director A. Roe	Award Plaque		12/22/2013	\$25.00	
B. Itemized Meals and Beverages						
Date	Recipient	Description	Decision	Date Notified	Amount	
10/12/2013	Director A. Roe	Breakfast		11/1/2013	\$12.00	
C. Non Itemized Meals and Beverages						
National Conference Meals: \$0.00						
						Total Aggregate (A + B + C) \$41.00

treasurer of state), the head of any department or agency listed in [Appendix B](#) or [Appendix C](#), or any staff of such department or agency who is required to file a financial disclosure statement is an Executive Agency Reportable Person.

[R.C. 121.60(B)]

Activity Reporting

Employers of Executive Agency Lobbyists must disclose all Executive Agency Lobbying Activity that any of its Lobbyists conducted on its behalf during a Reporting Period. Employers are advised to communicate with their Lobbyists regarding the activity that must be disclosed.

What Is Executive Agency Lobbying Activity: Promoting, opposing, or otherwise influencing the outcome of an Executive Agency Decision through Direct Communication with any Executive Agency Reportable Person.

[R.C. 121.60(E)(2), 121.60 (H), and 121.60 (I); Adm.Code 101-11-01(F)]

What Is Considered An Executive Agency Decision: An Executive Agency Decision is any of the following:

1. A decision of an Executive Agency regarding an expenditure of state funds or an award of any contract, grant, lease, or other financial arrangement under which state funds are distributed or allocated.
2. A regulatory decision of an Executive Agency, or any board or commission of the State.
 - A regulatory decision is one that has broad and universal application to all persons subject to the jurisdiction of the agency, board, or commission. Administrative rules, bulletins, directives, and policy statements are all regulatory decisions.
 - A regulatory decision is not an Executive Agency decision when it is made solely with respect to named persons.

[R.C. 121.60(G); Adm.Code 101-11-01(C)]

How To Report: Employers must disclose the name of the Executive Agency and a decision number (if applicable) or a general description of the decision.

II. Executive Agent Activity
Please disclose specific agency decisions on which active advocacy occurred during this reporting period:

Agency Decision EPA Admin Rule 3745-71 (Clean Air)

Expenditure Reporting

The total amount of all Employer Expenditures that occur during a Reporting Period must be reported. Each Executive Agency may have particular rules regarding whether Expenditures may be accepted. Employers are advised to contact the specific Executive Agency prior to making an Expenditure. Where allowed, all Employer Expenditures fall within one of three categories and must be reported as follows:

Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage, given to or made for the benefit of an Executive Agency Reportable Person that exceeds \$25.00 in

value. Gift Expenditures include (but are not limited to): plaques, awards, tickets, entertainment, and travel and lodging.

The \$25 Threshold: The \$25 threshold value is per expenditure; it is not aggregated with any other expenditure provided to the Executive Agency Reportable Person over the course of the year. As such, multiple *de minimis* items may be provided. However, Employers must be mindful that Executive Agency Reportable Persons must disclose, as the source of a gift on their annual Financial Disclosure Statement, anyone who provides more than \$75 in aggregated gifts for their benefit.

How to Report: The Employer must list: (1) the name of the Executive Agency Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) any specific decision related to the gift (if any).

III. Executive Employer Expenditure Statement					
A. Gifts					
Date	Recipient	Description	Decision	Date Notified	Amount
12/18/2013	Director A. Roe	Award Plaque		12/22/2013	\$29.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 121.63(B), 102.02(A); Adm.Code 101-11-01(G); 1994 Ohio Ethics Commission Advisory Op. 94-003]

1. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Executive Agency Reportable Person excluding those provided in conjunction with a National Organization Conference (such Expenditures are reportable but are not itemized, see below).

Unlike Lobbyists, there is no \$50 threshold non-itemized exemption for Employers who provide meal/beverages to Executive Agency Reportable Persons. Meal/Beverage Expenditures provided by an Employer are reportable from \$1.

How To Report: The Employer must disclose: (1) the name of the Executive Agency Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific Executive Agency Decision related to the meal/beverage (if any).

B. Itemized Meals and Beverages					
Date	Recipient	Description	Decision	Date Notified	Amount
10/12/2013	Director A. Roe	Breakfast		11/1/2013	\$12.00

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

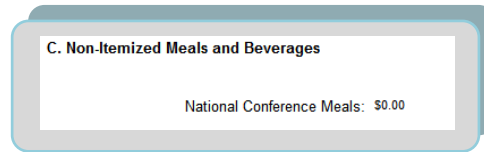
[R.C. 121.63(B)]

2. Non-Itemized National Organization Conference Meal/Beverage Expenditures:

What Is A National Organization Conference Meal/Beverage Expenditure: A Meal/Beverage Expenditure provided for the benefit of an Executive Agency Reportable

Person attending a meeting or conference of a National Organization to which a state agency pays membership dues.

How To Report: The Employer must disclose the total dollar amount of all National Organization Conference Expenditures made during the Reporting Period; recipients are not disclosed.



EMPLOYER OF A RETIREMENT SYSTEM LOBBYIST REPORTING

Following each Reporting Period, each Employer of a Retirement System Lobbyist must report its Retirement System Lobbying Activity and any Expenditures it made during the period. To do so, the Employer must complete an Activity & Expenditure Report (AER). The Employer will submit one AER for all of its Retirement Engagements. AER's are accessible and must be submitted through the Employer's OLAC account.

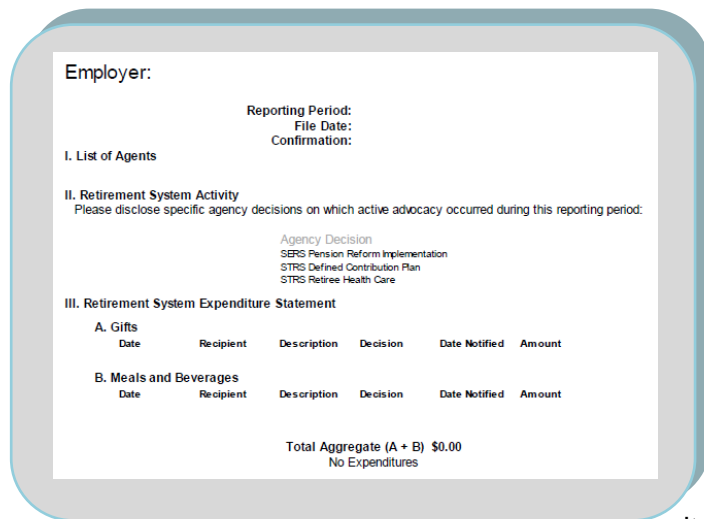
[R.C. 101.92(B), 101.93(A), 101.93(B) 101.98(C)]

In part, an Employer of a Retirement System Lobbyist's AER must disclose all Expenditures it made for the benefit of a Retirement System Reportable Person. To recap, members of a state Retirement System board, state retirement investment officials, and employees of a Retirement System whose position involves a substantial and material exercise of discretion in the investment of Retirement System funds are Retirement System Reportable Persons.

[101.90(B)]

Activity Reporting

Employers of Retirement System Lobbyists must disclose all Retirement System Lobbying Activity that any of its Lobbyists conducted on behalf during a Reporting Period. Employers are advised to communicate with their Lobbyists regarding the Activity that must be disclosed.



its

What is Retirement System Lobbying Activity: Influencing the outcome of a Retirement System Decision through Direct Communication with any Retirement System Reportable Person.

[R.C. 101.90(I)]

What Is A Retirement System Decision: A decision of: (1) the Public Employees Retirement System, (2) the Ohio Police and Fire Pension Fund, (3) the State Teachers Retirement System, (4) the School Employees Retirement System, or (5) the State Highway Patrol Retirement System, regarding the investment of funds or the award of a contract to a placement agent or investment manager.

[R.C. 101.90(F), 101.90(G)]

How To Report: The Lobbyist must disclose the Retirement System lobbied and a generic description of the decision. *E.g. STRS: Defined Contribution Plan.*

Expenditure Reporting

The total amount of all Employer Expenditures made during a Reporting Period must be reported.

Employers must keep in mind that Retirement System Reportable Persons are prohibited from accepting any payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages. Each Retirement System may have further rules regarding whether Expenditures may be accepted. Prior to making any other type of Expenditure, Employers are advised to contact the specific Retirement System for any additional restrictions.

[R.C. 102.03(H)(2)]

Where Expenditures are allowed, all fall within one of two categories and must be reported as follows:

1. Itemized Gift Expenditures:

What Is A Gift Expenditure: Anything of value, excluding a meal or beverage given to or made for the benefit of a Retirement System Reportable Person.

How to Report: The Employer must disclose: (1) the name of the Retirement System Reportable Person for whose benefit the gift was made, (2) the amount of the gift, (3) a description of the gift, (4) the date of the gift, and (5) the specific decision related to the gift (if any).

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.90(B), 101.93(B)]

2. Itemized Meal/Beverage Expenditures:

What Is An Itemized Meal/Beverage Expenditure: An Expenditure for a meal or beverage made for the benefit of a particular Retirement System Reportable Person.

Unlike Lobbyists, there is no \$50 threshold for Employers who provide meal/beverages to Retirement System Reportable Persons. Meal/Beverage Expenditures provided by an Employer are reportable from \$1.

How to Report: The Employer must disclose: (1) the name of the Retirement System Reportable Person for whose benefit the meal/beverage was made, (2) the amount of the meal/beverage, (3) a description of the meal/beverage, (4) the date of the meal/beverage, and (5) the specific decision related to the meal/beverage (if any).

Non-Disputed Notice: At least ten days prior to filing an AER, a Non-Disputed Notice must be sent to each Reportable Person named in the report.

[R.C. 101.93(B)]

-End of Chapter-

[Blank Page]

Chapter 7: Financial Transactions

WHAT IS A FINANCIAL TRANSACTION	77
FINANCIAL TRANSACTION STATEMENTS.....	78
INFORMATION TO BE INCLUDED ON A FINANCIAL TRANSACTION STATEMENT	78
WHEN TO FILE.....	78
10 DAY NOTIFICATION TO REPORTABLE PERSON PRIOR TO FILING	78

Financial Transactions

Lobbyists and Employers who enter into Financial Transactions with Reportable Persons must disclose these transactions by filing a Financial Transaction Statement with the OLIG.

[R.C. 101.74, 121.64, 101.94]

WHAT IS A FINANCIAL TRANSACTION

A Financial Transaction is a transaction or activity that:

1. Is between a Reportable Person and: a Lobbyist, an Employer, or the immediate family* of a Lobbyist or an Employer;
2. Is conducted or undertaken for profit;
3. Arises from the ownership, joint ownership, or ownership in common of:
 - a. any real or personal property, or
 - b. any commercial or business enterprise of any form or nature;
4. Where the Reportable Person's total ownership interest in the venture or property is greater than 5%.

A Financial Transaction does not include any transaction that is available to the general public on the same terms as it is to a Reportable Person. A Financial Transaction encompasses only those types of business relationships that involve joint ownership of an enterprise or property. Simple contractual relationships between two entities for services are not Financial Transactions.

Financial Transaction

Legislator Roe and John Lobbyist both enjoy restoring old fashioned cars. They decide to jointly start Custom Classics, a company that buys, restores, and sells classic cars. Custom Classics is a Financial Transaction.

Not A Financial Transaction

Auto World is an employer of a lobbyist. Legislator Doe purchases a car (at its fair market value) from Auto World. This is not a Financial Transaction.

Not A Financial Transaction

Legislator Doe and John Lobbyist are partners in the same law firm. Legislator Doe's ownership interest in the firm entitles her to less than 5% of the firm's profits. This is not a Financial Transaction.

If you believe you have a Financial Transaction please call the OLIG at 614-728-5100 prior to filing a Financial Transaction Statement.

[R.C. 101.70(I), 121.60(E), 101.90(E); Adm.Code 101-9-01(B), 101-11-01(E); 1995 JLEC Advisory Op. 95-013, at 4]
**Immediate family means a spouse residing in the persons household or any dependent child.*

FINANCIAL TRANSACTION STATEMENTS

Financial Transaction Statements are accessible and are submitted through the Lobbyist's or the Employer's OLAC account.

Information To Be Included On A Financial Transaction Statement

A Financial Transaction Statement must include the following:

1. The Reporting Period during which the transaction took place.
2. The name of the Reportable Person involved in the transaction.
3. A brief description of the purpose and nature of the transaction.
4. The date of the transaction.
5. Certification that a copy of the statement was delivered to the Reportable Person (see further information below).

[R.C. 101.74(A), 101.74(B), 121.64(A), 121.64(B), 101.94 (A), 101.94(B)]

The screenshot shows a web form titled "Agent Financial Transactions". It has several input fields and a dropdown menu. The fields are labeled as follows:

- Agent:** (text input)
- Reporting Period:** (dropdown menu, currently showing "Sep-Dec13")
- a. Name and Position of the Public Official or Employee:** (text input)
- b. Brief description of the purpose and nature of the transaction:** (text area)
- c. Date the transaction was made or entered into:** (text input, with "(mm/dd/yyyy format)" below it)
- d. Other pertinent details:** (text area)
- Date of Delivery:** (text input, with "(mm/dd/yyyy format)" below it)

At the bottom of the form, there is a disclaimer: "By clicking on the 'File' button, you attest that all reasonable efforts and due diligence have been undertaken in the preparation and completion of this statement and that the contents are true and accurate to the best of the filer's knowledge. ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER O.R.C. Section 2921.13, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE."

When To File

Financial Transaction Statements are due the same as AER's (the end of each reporting period). Transactions that continue over multiple Reporting Periods must be disclosed following each period.

[R.C. 101.74(A), 101.74(B), 121.64(A), 121.64(B), 101.94 (A), 101.94(B)]

10 Day Notification To Reportable Person Prior to Filing

10 days prior to filing a Financial Transaction Statement, the Lobbyist or Employer must send a copy of the statement to the Reportable Person named on the statement.

[R.C. 101.74(C), 121.64(C), 101.94(C)]

-End of Chapter-

Chapter 8: Enforcement

OLIG JURISDICTION.....	81
INFRACTIONS & ENFORCEMENT POLICIES.....	81
FAILURE TO MAINTAIN EXPENDITURE RECEIPTS.....	81
FAILURE TO REGISTER AN ENGAGEMENT.....	81
FAILURE TO FILE AN ACTIVITY & EXPENDITURE REPORT	82
FILING A FALSE REPORT	83
EXPENDITURE DISPUTES	83
COMPLAINTS	83

Enforcement

All individuals and entities who engage in Lobbying Activity in Ohio must comply with its Lobbying Laws. Those who fail to comply are subject to monetary fees and may face criminal prosecution.

[R.C. 101.72(G), 121.62(G), 101.92(G), 101.99, 121.99]

OLIG JURISDICTION

The OLIG is charged with administering Ohio's Lobbying Laws and is responsible for reviewing each submitted Initial Registration Statement, AER, and Financial Transaction Statement to determine whether it contains all required information.

The OLIG, along with the Ohio Attorney General, may investigate instances of non-compliance. Where the Attorney General determines there is an apparent violation of a Lobbying Law, it will refer its findings to the Franklin County Prosecutor who may initiate criminal proceedings.

[R.C. 101.34(A)(10), 101.72(G), 121.62(G), 101.92(G), 101.79, 121.96, 101.981]

INFRACTIONS & ENFORCEMENT POLICIES

The OLIG strives to work with the lobbying community to avoid infractions of Ohio's Lobbying Laws prior to their occurrence. Lobbyists and Employers are strongly encouraged to contact the OLIG prior to holding events or making Expenditures to discuss whether the event/expenditure is permissible and how it is to be reported.

Lobbyists and Employers are advised to contact the OLIG in instances where either knows a registration or reporting requirement will not be timely met. If contacted in advance, the OLIG will work with the Lobbyist/Employer to the fullest extent possible to ensure they remain in compliance.

Failure To Maintain Expenditure Receipts

No Lobbyist or Employer shall fail to maintain receipts of Expenditures. Such receipts must be retained until December 31 of the second calendar year after the year in which the Expenditure was made (see Chapter 4). Failing to maintain expenditure records is a fourth degree misdemeanor, punishable by up to 30 days incarceration and a \$250 fine.

[R.C. 101.71(B), 121.61(B), 101.91(B), 101.99, 121.99, 101.73(E), 121.63(F), 101.93(F), 2929.24, 2929.28]

Failure To Register An Engagement

No Lobbyist or Employer shall knowingly fail to register an Engagement. Failing to register an Engagement is a fourth degree misdemeanor, punishable by up to 30 days incarceration and a \$250 fine.

[R.C. 101.71(A), 121.61(A), 101.91(A), 101.99, 121.99, 2929.24, 2929.28]

Where a Registration Statement does not contain all required information or where a Lobbyist or Employer fails to register, the OLIG adheres to the following policy:

1. A certified letter is sent to the Lobbyist regarding the registration deficiency or to the Lobbyist and Employer advising that the Engagement be registered.
2. The letter recipient then has 15 calendar days from receipt of the letter to either correct the deficiency or register.
3. A letter recipient who fails to do so may be assessed a fee of \$12.50 per day (up to a maximum of \$100).
4. A letter recipient who continuously fails to comply may be referred to the appropriate law enforcement authority.

[101.72(G), 121.62(G), 101.92(G)]

Failure To File An Activity & Expenditure Report

No Lobbyist or Employer shall knowingly fail to file an Activity & Expenditure Report. Failing to file an AER is a fourth degree misdemeanor, punishable by up to 30 days incarceration and a \$250 fine.

[R.C. 101.71(C), 121.61(C), 101.91(C), 101.99, 121.99, 2929.24, 2929.28]

If a Lobbyist or Employer does not timely file an AER or if a filed AER is deficient, the OLIG adheres to the following policy:

1. Notification of Delinquent Status:
 - **3 Calendar Days After A Reporting Period Deadline:** Lobbyists and Employers who do not file an AER by the deadline will be sent an email notification of their deficiency or delinquency.
 - **5 Calendar Days After A Reporting Period Deadline:** Lobbyists and Employers who remain deficient or delinquent following the email notification may be published as delinquent filers on OLAC's public information page. Filers are removed from the delinquent list as their AER's are filed.
2. Certified Letter Sent Via US Mail:
 - **10 Calendar Days After A Reporting Period Deadline:** Lobbyists and Employers who remain delinquent 10 days after the reporting deadline are sent certified letters advising of their delinquency and to promptly file. To avoid a fee assessment, letter recipients must file their delinquent reports within 15 calendar days from the receipt of their letter.
3. Fee Assessment - \$100 Per AER:
 - **15 Calendar Days From Receipt Of A Certified Letter:** Lobbyists and Employers who remain delinquent 15 days from the delivery of their certified letter will be assessed a late filing fee of \$100 per delinquent AER. Fee assessments will be delivered by certified mail. To avoid referral to the Attorney General, letter recipients must file their delinquent reports AND submit payment of their fee assessment within 15 calendar days from the receipt of their certified fee assessment letter.
4. Referral To Ohio Attorney General:

- **Failure To Pay Fee Assessment.** Lobbyists and Employers who fail to pay an assessed fee within 15 calendar days of receiving a certified fee assessment letter may be referred to the Attorney General's Office for collection.
- **Failure To File An AER.** Lobbyists and Employers who fail to file delinquent AER's within 15 calendar days of receiving a certified fee assessment letter may be referred to the Attorney General's Office for possible criminal prosecution.

[101.72(G), 121.62(G), 101.92(G)]

Filing A False Report

No Lobbyist or Employer shall knowingly file a false Initial Registration Statement or Activity & Expenditure Report. Any person who files a false statement or report is guilty of falsification under R.C. 2921.13—a first degree misdemeanor, punishable by up to 180 days incarceration and a \$1,000 fine.

A Lobbyist or Employer who files a false statement is liable in a civil action to any Reportable Person who sustains damage as a result of the publication of the statement.

If a Lobbyist or Employer discovers it *unknowingly* omitted either Lobbying Activity or an Expenditure on a filed AER, it must amend its report in OLAC.

[R.C. 101.71(D), 101.78(B), 121.61(D), 121.68(D), 101.91(D), 101.98(C), 101.99, 121.99, 2929.24, 2929.28, 101.75, 121.65, 101.95]

EXPENDITURE DISPUTES

If a dispute arises between a Reportable Person and a Lobbyist or an Employer regarding an Expenditure, a complaint may be filed with and investigated by the Joint Legislative Ethics Committee (JLEC).

A potential complainant is advised to contact the OLIG prior to filing a complaint to discuss JLEC's investigatory process.

A complaint must be filed at least 3 days prior to the Reporting Period Filing Deadline. Once filed, the deadline for reporting the disputed Expenditure is extended pending JLEC's final decision; this does not extend the deadline for any Expenditure not in dispute.

JLEC will notify the parties of its final decision by certified mail. If it determines the expenditure is to be reported, the Lobbyist or Employer must file an Amended AER disclosing the Expenditure. The Amended AER must be filed not later than 10 days after the receipt of JLEC's decision.

[R.C. 101.75, 121.65, 101.95]

COMPLAINTS

Any person with knowledge of a violation of Ohio's Lobbying Laws is advised to contact the OLIG at 614-728-5100.

-End of Chapter-

Appendices

APPENDIX A: LOBBYING LAWS	87
APPENDIX B: EXECUTIVE AGENCIES	89
APPENDIX C: STATE DEPARTMENTS	93
APPENDIX D: LEGISLATIVE STAFF	95
APPENDIX E: PRINTABLE EXPENDITURE GUIDELINES	97
APPENDIX F: PRINTABLE REPORTING PERIOD CALENDAR.....	99
APPENDIX G: MODEL NON-DISPUTED NOTICE FORM.....	100

[Blank Page]

APPENDIX A: LOBBYING LAWS

Legislative Lobbying	
101.70	Definitions
101.71	Prohibited Acts
101.72	Initial Registration Statements
101.721	Disqualification
101.73	Activity and Expenditure Reports
101.74	Financial Transactions
101.75	Complaints
101.76	Exempts
101.77	Contingency Prohibition
101.78	Public Information
101.79	Violations
101.99	Penalties

Executive Agency Lobbying	
121.60	Definitions
121.61	Prohibited Acts
121.62	Initial Registration Statements
121.621	Disqualification
121.63	Activity and Expenditure Reports
121.64	Financial Transactions
121.65	Complaints
121.66	Exceptions
121.67	Contingency Prohibition
121.68	Public Information
121.69	Violations
121.99	Penalties

Retirement System Lobbying	
101.90	Definitions
101.91	Prohibited Acts
101.92	Initial Registration Statements
101.921	Disqualification
101.93	Activity and Expenditure Reports
101.94	Financial Transactions
101.95	Complaints
101.96	Exempts
101.97	Contingency Prohibition
101.98	Public Information
101.981	Violations
101.99	Penalties

Other Provisions	
101.34	OLIG Authorizing Provision
102.02	Financial Disclosure
102.031	Conflicts of Interest - Legislative
2929.13	Falsification
2929.24	Sanctions
2929.28	Sanctions

[Blank Page]

APPENDIX B: EXECUTIVE AGENCIESTable of Executive Agencies

Accountancy Board	Adjutant General	Administrative Services	African-American Hall of Fame Governing Board	African-American Males Commission
Aging	Aging, Advisory Council on	Agriculture	Air Quality Development Authority	Alternative Energy Advisory Committee
Appalachian Center for Higher Education Board	Apprenticeship Council	Architects Board & Landscape Architects	Arts Council	Athletic Commission
Attorney General	Auctioneers Commission	Auditor of State	Autism Task Force	Ballot Board
Banking Commission	Barber Board	Best Rx Program Council	Board of Deposit	Board of Regents
Broadcasting Educational Media Commission	Budget & Management	Building Appeals Board	Building Authority	Building Standards Board
Bureau of Motor Vehicles	Business Gateway Steering Committee	Career Colleges & Schools Board	Casino Control Commission	Chemical Dependency Professionals Board
Child Care Advisory Council	Child Lead Poisoning Prevention Program Advisory Council	Children's Trust Fund Board	Chiropractic Examiners Board	Civil Rights Commission
Clean Air Resource Center	Clean Ohio Fund - Brownfield Revitalization	Clean Ohio Fund - Farmland Preservation	Clean Ohio Fund - Green Space Conservation	Clean Ohio Fund - Recreational Trails
College Advantage	Commerce	Commercial Dog Breeding Advisory Board	Commercial Insurance Joint Underwriting Association Board	Community Service Council
Construction Industry Licensing Board	Consumer's Counsel	Cosmetology Board	Counselor, Social Worker and Marriage & Family Therapist Board	County Sheriff's Standard Car Marking & Uniform Commission
Credential Review Board	Credit Union Council	Criminal Justice Services	Criminal Sentencing Commission	Cultural Facilities Commission
Cybersecurity, Education & Economic Development Council	Dangerous & Restricted Animals Advisory Board	Dangerous Wild Animal State Emergency Response Commission	Dental Board	Development Financing Advisory Council
Developmental Disabilities	Developmental Disabilities Council	Developmental Services Agency	Dietetics Board	Dispute Resolution & Conflict Management Commission
E-Commerce Center	Early Childhood Advisory Council	Education	Education Commission of the States (Interstate Compact for Education)	Educational Opportunity for Military Children Council
Educator Standards Board	Elections Commission	Electrical Safety Inspector Advisory Committee	Embalmers & Funeral Directors Board	Emergency Management Agency
Emergency Medical Services	Emergency Response Commission	Energy Efficiency	Engineer & Surveyors Board	Environmental Education Council
Environmental Protection Agency	Environmental Review Appeals Commission	Ethanol Incentive Board	Ethics Commission	Exposition Commission
Facilities Construction Commission	Fair Plan Underwriting Association	Family & Children First	Fatherhood Commission	Fire Commission
Fire Council	Fire Marshall	Forestry Advisory Council	Geology Advisory Council	Governor
Governor's Council on People with Disabilities	Governor's Office of Faith-Based Community Initiatives, Advisory Board	Governor's Office of Health Transformation	Governor's Regional Economic Offices	Governor's Residence Advisory Commission
Grain Marketing Program Operating Committee	Grape Industries Committee	Great Lakes Commission	Great Lakes Protection Fund Board	Hazardous Waste Facility Board
Health	Health Reinsurance Program Board	Healthy Choice for Healthy Children Council	Hearing Aid Dealers & Fitters Licensing Board	Help Me Grow Advisory Council

Higher Educational Facility Commission	Highway Patrol	Hispanic/Latino Affairs Commission	Historic Site Preservation Advisory Board	Historical Boilers Licensing Board
Historical Society	Homeland Security	Housing Finance Agency	Housing Study Committee	Industrial Commission
Industrial Compliance	Information Technology	Inspector General	Insurance	Interstate Adult Offender Supervision Council
Interstate Juvenile Supervision Council	Interstate Rail Passenger Advisory Council	Job & Family Services	JobsOhio	Labor Market Information
Lake Erie Commission	Learning Network	Library Board	Lieutenant Governor	Liquor Control Commission
Livestock Care Standards Board	Livestock Exhibitions Advisory Committee	Local Government Innovation Council	Local Government Reform & Collaboration Commission	Lottery Commission
Manufactured Homes Commission	Maternity & Newborn Advisory Council	Medicaid Drug Managers, Advisory Council To Select	Medicaid, Department of	Medical Board
Medical Liability Underwriting Association	Medical Transportation Board	Medication Aide Advisory Council	Mental Health & Addiction Services	Midwest Interstate Low-Level Radioactive Waste Commission
Midwestern Higher Education Commission	Military Reserve	Milk Sanitation Board	Mine Subsidence Insurance Board	Minority Development Financing Advisory Board
Minority Health Commission	Motor Vehicle Dealers Board	Motor Vehicle Repair Board	Motor Vehicle Salvage Dealer's Licensing Board	Natural Areas Council
Natural Resources	Naval Militia	New African Immigrants Commission	Newborn Screening Advisory Council	Nursing Board
Nursing Homes Administrators, Board of Examiners	Occupational Therapy, Physical Therapy & Athletic Trainers	Ohioana Library Association	Oil & Gas Commission	Oil & Gas Leasing Commission
Oil & Gas Marketing Program	Oil & Gas Technical Advisory Council	Opportunities for Ohioans with Disabilities	Optical Dispensers Board	Optometry Board
Organized Crime Investigations Commission	Orthotics, Prosthetics & Pedorthics Board	Parks & Recreation Council	Parole Board	Patient Centered Medical Home Education Advisory Group
Peace Officer Training Commission	Petroleum Underground Storage Tank Release Compensation Board	Pharmacy Board	Physician Assistant Policy Committee	Power Siting Board
Prequalification Review Board	Prescriptive Governance Committee	Private Investigation & Security Services Commission	Private Water Systems Advisory Council	Psychology Board
Public Defender Commission	Public Employees Deferred Compensation Board	Public Facilities Commission	Public Health Advisory Board	Public Health Council
Public Library Information Network	Public Safety	Public Utilities Commission	Public Works Commission	Quarter Horse Development Commission
Racing Commission	Radiation Advisory Council	Radio Communications System Steering Committee	Rail Development Commission	Real Estate Appraiser Board
Real Estate Commission	Reclamation Commission	Recreation & Resources Commission	Rehabilitation & Corrections	Residential Construction Advisory Committee
Respiratory Care Board	Retirement Study Council	River Valley Water Sanitation Commission	Rural Development Partnership	Sanitarian Registration Board
Savings and Loan Associations & Savings Banks Board	School & Ministerial Lands Divestiture Committee	School for the Deaf	Schoolnet Commission	Second Chance Trust Fund Advisory Committee
Secretary of State	Self-Insuring Employers Evaluation Board	Service & Volunteerism Commission	Sinking Fund Board	Ski Tramway Board
Small Business	Small Government	Soil & Water	Solid Waste	Southern Ohio

Advisory Council	Capital Improvements Commission	Conservation Commission	Management Advisory Council	Agriculture & Community Development Foundation
Speech-Language Pathology & Audiology Board	Standardbred Development Commission	State & Federal Surplus	State Audit Committee	State Employment Relations Board
State Fair	State Library of Ohio	State Personnel Board of Review	Steel Council	STEM Committee
Stroke Prevention & Education Council	Student Aid Commission	Student Tuition Recovery Authority	Tax Appeals Board	Tax Credit Authority
Taxation	Telecommunications Regulatory Reform Select Committee	Third Frontier Advisory Board	Third Frontier Commission	Thoroughbred Race Advisory Committee
TourismOhio	TourismOhio Advisory Board	Transportation	Transportation Finance Commission	Transportation Improvement District
Transportation Review Advisory Council	Treasurer of State	Tuition Trust Authority	Turnpike & Infrastructure Commission	Unclaimed Funds
Unemployment Compensation Advisory Council	Unemployment Compensation Review Commission	Unified Long-Term Care System Advisory Workgroup	Unreclaimed Strip Mined Lands Council	Utility Radiological Safety Board
Venture Capital Authority	Veterans Advisory Committee	Veterans Home	Veterans Services	Veterinary Medical Licensing Board
Victims Assistance Advisory Council	Voting Machines Examiners Board	War Orphans Scholarship Board	Water & Sewer Commission	Water Advisory Council
Water Development Authority	Water Resources Council	Waterways Safety Council	Wildlife Council	Wireless 9-1-1 Advisory Board
Worker's Compensation	Workforce Policy Board	Youth Art Exhibition	Youth Services	

[Blank Page]

APPENDIX C: STATE DEPARTMENTS

R.C. 121.02 State Departments

Budget and Management	Commerce	Administrative Services	Transportation	Agriculture
Natural Resources	Health	Job and Family Services	Public Safety	Mental Health and Addiction Services
Developmental Disabilities	Insurance	Developmental Services Agency	Youth Services	Rehabilitation and Correction
Environmental Protection Agency	Aging	Medicaid	Veterans Services	

[Blank Page]

APPENDIX D: LEGISLATIVE STAFF**Legislative Staff Positions Required to File A Financial Disclosure Statement**

<u>Senate Staff</u>			
Clerk	Maj. Chief of Staff	Maj. Dep. Legal Counsel	Maj. Deputy Chief of Staff
Maj. Deputy Dir of Finance	Maj. Dir of Communication	Maj. Dir of Finance	Maj. Dir of Info Systems
Maj. Legal Counsel	Min. Chief of Staff	Min. Dep. Legal Counsel	Min. Deputy Chief of Staff
Min. Dir of Communication	Min. Dir of Finance	Min. Dir of Policy	Min. Legal Counsel

<u>House Staff</u>			
Chief Administrative Officer	Clerk	Deputy Clerk	Dir. of Info Systems
Director, Speaker's Office	Maj. Chief of Staff	Maj. Dep. Legal Counsel	Maj. Dep. Legal Counsel/Public Inquiries
Maj. Dir of Communication	Maj. Dir of Finance	Maj. Dir. of Policy	Maj. Legal Counsel
Min. Budget	Min. Chief of Staff	Min. Dir of Communication	Min. Legal Counsel
Min. Sr. Policy Advisor			

<u>Legislative Agency Staff</u>			
CIIC Exec. Director	CSRAB Asst. Director of Finance & Human Resources	CSRAB Dep. Director of Comm.	CSRAB Dep. Director of Maintenance, Buildings, & Grounds
CSRAB Dep. Director of Museum & Education	CSRAB Exec. Director	JCARR Dep. Director	JCARR Exec. Director
JLEC/OLIG Ethics Advisory Attorney	JLEC/OLIG Exec. Director	JLEC/OLIG General Counsel	
LIS Director	LSC Assoc. Director(s)	LSC Exec. Director.	

This list is subject to change. Visit www.ohiolobbying.com for an up-to-date list of legislative staff required to file a financial disclosure statement and the names of the individuals holding each position.

[Blank Page]

APPENDIX E: PRINTABLE EXPENDITURE GUIDELINES



EMPLOYER- Legislative Expenditure Guidelines	
GIFTS	<p>ALL GIFTS ARE REPORTABLE UNDER SECTION A OF THE AER EXCEPT:</p> <ul style="list-style-type: none"> Any publication of a trade, industry, government, or professional association. Gifts under \$25.00. Campaign Contributions are not gifts and are not reportable to JLEC under Ohio's lobbying laws. <p>CASH GIFTS AND THEIR EQUIVALENT (GIFT CARDS) ARE PROHIBITED</p>
MEALS & BEVERAGES	<p>Unless an expenditure falls under one of the below categories, all meals/beverages must be reported and itemized under SECTION B of the AER disclosing the date of the expenditure, the recipient, a description of the expenditure, any legislation pertaining to the expenditure, and the dollar amount.</p> <p><u>Expenditures NOT requiring itemization:</u></p> <ul style="list-style-type: none"> All-invited functions report non-itemized meals/beverages for functions where ALL legislators or ALL members of either chamber are invited under SECTION C of the AER. Meals provided at a meeting or convention of a National Organization to which the State pays dues are reportable under SECTION D of the Employer AER.
TRAVEL	<p>All Travel Expenses (airfare, hotel, etc.) are reportable under SECTION A of the Employer AER.</p>
<p>*This resource is being provided by the OLIG and is intended as guidance on complying with Ohio's lobbying law and should not be relied upon as legal advice. If you have specific reporting questions please contact the OLIG at the number provided above.</p>	



OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL
 50 West Broad Street, Ste 1308
 Columbus, OH 43215
(614) 728 – 5100
www.ohiolobbying.com

Reporting Deadlines:
 January–April: May 31st
 May–August: September 30th
 September–December: January 31st


[Front]

LOBBYIST - Legislative Expenditure Guidelines	
GIFTS	<p>ALL GIFTS ARE REPORTABLE UNDER SECTION A OF THE AER EXCEPT:</p> <ul style="list-style-type: none"> Any publication of a trade, industry, government, or professional association. Gifts under \$25.00. Campaign Contributions are not gifts and are not reportable to JLEC under Ohio's lobbying laws. <p>CASH GIFTS AND THEIR EQUIVALENT (GIFT CARDS) ARE PROHIBITED GIFTS OVER \$75.00 AGGREGATED PER CALENDAR YEAR ARE PROHIBITED</p>
MEALS & BEVERAGES	<p>Unless the expenditure falls under one of the below categories, all meals and beverages exceeding \$50.00 are to be reported and itemized disclosing the date of the expenditure, the recipient, a description of the expenditure, any legislation pertaining to the expenditure, and the dollar amount. These expenditures are to be reported under SECTION B of the Agent AER.</p> <p>REPORTABLE UNDER SECTION C of the AER: All-Invited functions; report non-itemized meals/beverages for functions where ALL legislators or ALL members of either chamber are invited.</p> <p>REPORTABLE UNDER SECTION D of the AER:</p> <ul style="list-style-type: none"> NON ITEMIZED MEALS UNDER \$50.00: Agents may spend \$50.00 per calendar year/per reportable person without itemizing the expenditure. SPEAKING ENGAGEMENTS: Meals where a member is part of a panel, speaking engagement, or seminar. NATIONAL CONFERENCE MEALS: Meals provided at a meeting or convention of a National Organization to which the State pays dues.
TRAVEL	<p>Personal travel PROHIBITED except:</p> <ul style="list-style-type: none"> When related to a Member's official duties (reportable under SECTION A of the AER); or Travel in an automobile less than 50 miles one way (not reportable).

[Back]

[Blank Page]

APPENDIX F: PRINTABLE REPORTING PERIOD CALENDAR



<u>Calendar of Reporting Periods and Corresponding AER Deadlines</u>	
Reporting Period	Corresponding Deadline
January – April (January 1 st through April 30 th)	May 31 st
May – August (May 1 st through August 31 st)	September 30 th
September – December (September 1 st through December 31 st)	January 31 st of the following year
*If a deadline falls on a weekend or holiday, the deadline is the next business day.	

APPENDIX G: MODEL NON-DISPUTED NOTICE FORM

See following page.

Ohio Lobbying Expenditure Non-Disputed Notice Form

Date: _____
(date this notice is sent)

Dear _____:
(name of expenditure recipient)

This letter provides notice that _____ intends to disclose
(name of lobbyist/employer)
you as the recipient of a reportable expenditure on his/her/its _____
(reporting period / year | e.g. January - April 20xx)
Lobbying Activity and Expenditure Report. This notice is required pursuant to R.C. 101.73, 121.63, or
101.93. The following information will be reported:

Type of Expenditure: Gift _____ Meal/Beverage _____ *(check one)*
Date of Expenditure: _____
Description of Expenditure: _____
Amount of Expenditure: \$ _____

If you dispute the above information please contact me at _____ . If you
(phone number)
do not wish to have your name appear on this report you may reimburse for the amount listed above. In
either case, you must do so within 10 days of the date of this notification. If you wish to reimburse, please
submit payment to:

Name: _____
Address: _____
City, State, Zip: _____

Under Ohio's lobbying laws, recipients of lobbying expenditures must receive prior written notice that they will be reported on an Activity and Expenditure Report. The written notice must be sent 10 days prior to filing the report. This form is provided by the Office of the Legislative Inspector General as a model for non-disputed lobbying expenditure notification. While the use of this form is optional, written notification of the above information to an expenditure recipient is mandatory under R.C. 101.73, 121.63, and 101.93. This notice is not filed with the OLIG but a copy should be retained with similar expenditure records pursuant to R.C. 101.73(E), 121.63(F), and 101.93(F).