

Prohibited use of public funds.

(a) No funds of the city of Columbus, from any source whatsoever, shall be disbursed, nor shall any transaction thereof be conducted, to do any of the following:

- (1) Benefit a campaign committee, political action committee, legislative campaign fund, political party, campaign fund, political committee, separate segregated fund, or a candidate;
- (2) Promote discrimination on the basis of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, family or military status, or any other status that is protected by federal, state, or local law or ordinance; or
- (3) Expressly advocate for the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage or defeat of an initiated municipal ballot issue.¹

(b) Funds of the city of Columbus may be used to produce, present or communicate information about the plans, policies and operations of the city.

(c) Council may declare void any contract the proceeds of which were used, whether directly or indirectly, in furtherance of any knowing violation of this section.²

¹ Co-Chair Curtin raised the issue of using city resources for unsolicited mass communications in advance of an election. United State House rules provide a 90-day ban on unsolicited mass communications prior to any election at which the member's name appears. Unsolicited does not include emails for which a person has signed up; televising of House session or committee meetings; issuance of press releases; or so forth. Further, the ban would extend to a private organization conducting a mass mailing regarding official business of the member on behalf of or in cooperation with the same. Given the complexity of these rules, this issue might be best addressed by ordinance. For more information, see http://ethics.house.gov/general-prohibition-against-using-official-resources-campaign-or-political-purposes#campaign_goods_services.

² ORC 9.03(D) and (E) are likely intended to apply to the city of Columbus. The sections do no reference actions by a political subdivision and, as a result, the exemption of charter municipalities would not exempt the city from these provisions. However, the LSC analysis regarding violations and penalties still stands.

(D) Except as otherwise provided in division (A)(7) of section 340.03 of the Revised Code or in division (E) of this section, no person shall knowingly conduct a direct or indirect transaction of public funds to the benefit of any of the following:

- (1) A campaign committee;
- (2) A political action committee;
- (3) A legislative campaign fund;
- (4) A political party;
- (5) A campaign fund;
- (6) A political committee;
- (7) A separate segregated fund;
- (8) A candidate.

(E) Division (D) of this section does not prohibit the utilization of any person's own time to speak in support of or in opposition to any candidate, recall, referendum, levy, or bond issue unless prohibited by any other section of the Revised Code.