

Role and Overview

The Ethics Commission (ETH) promotes and enforces ethical conduct in public service to strengthen the public's confidence that state and local government business is conducted with impartiality and integrity.

In 1973, the Ohio legislature enacted Ohio's Ethics Law, Chapter 102 of the Ohio Revised Code, creating a series of statutory provisions to protect against unethical activity within the public sector. As an integral part of the law, the General Assembly created an independent, bi-partisan Ethics Commission, composed of six gubernatorial appointees, to execute its provisions. These appointees are subject to confirmation by the Senate, and serve six-year, staggered terms. The ethics law requires the commission to provide ethics education and issue legal advisory opinions that provide protection to the requestor, oversee financial disclosure, investigate unethical conduct that can lead to criminal prosecution, and advise the General Assembly on ethics-related legislation. The commission appoints an executive director who supervises a staff of approximately 20 employees to administer the ethics law and related statutes.

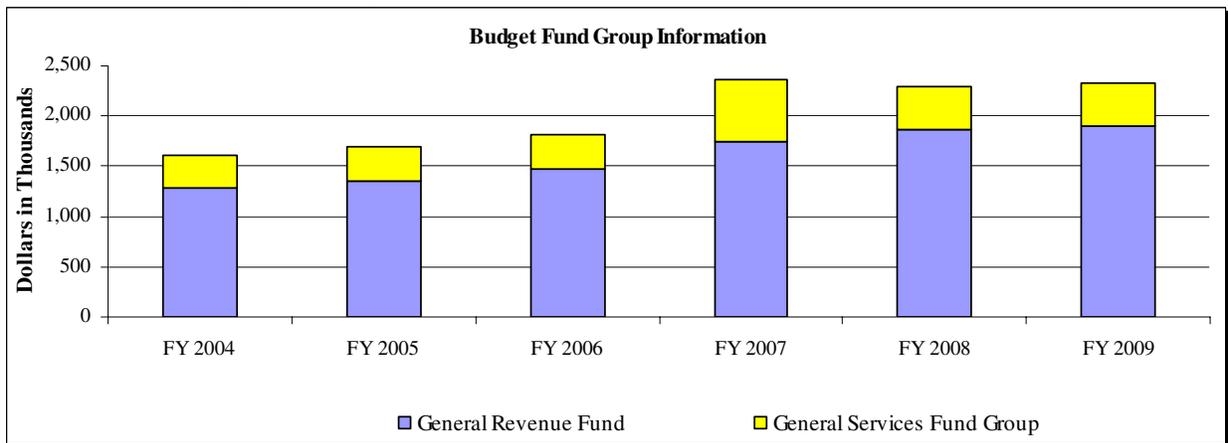
The commission's annual budget of approximately \$2.3 million is funded primarily by the General Revenue Fund; the balance of funding is derived from the collection of financial disclosure filing fees and occasional court-ordered restitution payments.

More information regarding the Ethics Commission is available at <http://www.ethics.ohio.gov/>.

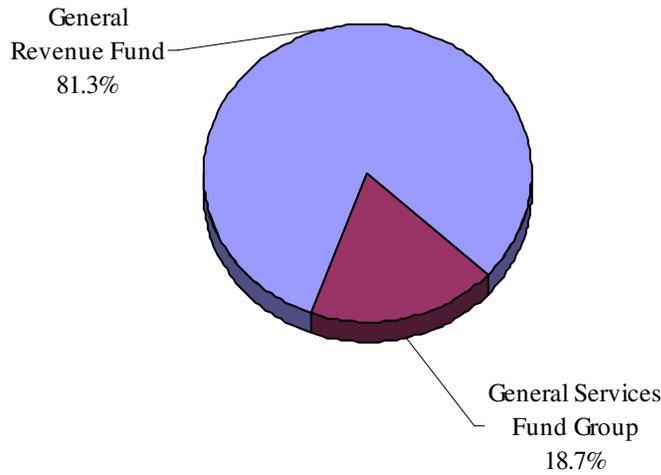
Agency Priority

- Promote and enforce ethical conduct in public service to strengthen the public's confidence that state and local government business is conducted with impartiality and integrity.

Summary of Budget History and Recommendations

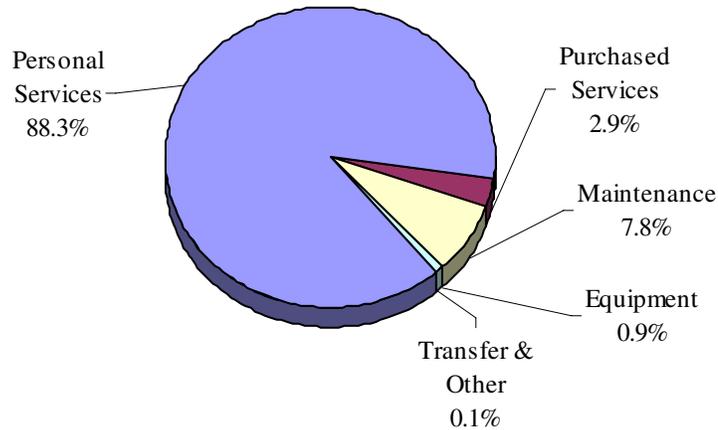


**FY 2008-09 Biennial Appropriation
by Budget Fund Group**



(In thousands) BUDGET FUND GROUP	ACTUAL			ESTIMATE	%	RECOMMENDED			
	FY 2004	FY 2005	FY 2006	FY 2007	FY 06-07	FY 2008	%	FY 2009	%
General Revenue Fund	1,281	1,357	1,476	1,742	18.1	1,863	6.9	1,902	2.1
General Services Fund Group	321	331	335	613	83.0	433	(29.4)	433	.0
TOTAL	1,602	1,689	1,810	2,355	30.1	2,296	(2.5)	2,335	1.7

**FY 2008-09 Biennial Appropriation
by Expense Category**



State of Ohio
Ohio Ethics Commission

(In thousands) OBJECT OF EXPENSE	ACTUAL			ESTIMATE	%	RECOMMENDED			
	FY 2004	FY 2005	FY 2006	FY 2007	FY 06-07	FY 2008	%	FY 2009	%
Personal Services	1,423	1,472	1,563	2,031	30.0	1,999	(1.6)	2,090	4.6
Purchased Services	4	7	10	102	877.5	94	(7.4)	42	(55.0)
Maintenance	165	177	166	180	8.2	180	.0	180	.0
Equipment	9	32	69	40	(42.2)	20	(50.0)	20	.0
Transfer & Other	1	1	2	2	26.6	2	.0	2	.0
TOTAL	1,602	1,689	1,810	2,355	30.1	2,296	(2.5)	2,335	1.7

PROGRAM SERIES 01: Ethics Oversight

This program series administers the Ohio Ethics Law (Ohio Revised Code Chapter 102 and sections 2921.42 and 2921.43) for public officials and employees at the state and local levels of government. The commission's four major program areas are advisory services, including legal advisory opinions; education and public information; financial disclosure; and investigations/enforcement, including referrals for prosecution.

Program 01.01: Advisory Services

This program increases awareness and understanding of the ethics law by the public, public officials and employees, and entities doing business with government entities to ensure compliance with the state's ethics law. The Advisory Services Program implements the commission's authority to render legal advisory opinions with regard to questions concerning ethics, conflicts of interest, and financial disclosure. The advisory process allows those who have potential conflicts or otherwise need ethics advice to seek guidance before they act. The commission issues written advisory opinions that apply the ethics law and related statutes for state and local public officials and employees; provides telephone guidance to public servants; and provides ethics law information to the public and media. When the commission provides written legal advice, the individual to whom the opinion was directed (or an individual who is similarly situated) is immune from criminal prosecution, a civil suit, or removal from office or position if such advice is heeded. The law thereby encourages officials to ask questions before they take action.

The Executive Recommendation will:

- Provide for the commission to prepare approximately 150 advisory opinions and handle over 3,000 telephone calls each year to interpret the ethics law and related statutes on behalf of public officials, employees, the general public, and the media.
- Support three advisory attorneys and their efforts to provide proper advice and guidance that will ensure compliance with the state's ethics law and avoidance of ethics violations; and
- Allow the commission and government entities to avoid costs related to unethical behavior, the investigation thereof, and resulting penalties to the public agency, by decreasing the likelihood that unethical behavior will occur if advice is sought and followed.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	146-321	Operating Expenses	372,693	394,270
GSF	4M6	146-601	Operating Expenses	74,312	74,312
TOTAL FOR PROGRAM				447,005	468,582

Program 01.02: Education

This program provides continuing education and written materials concerning the provisions of Ohio's ethics law, conflicts of interest, and financial disclosure. The educational sessions and informational materials help increase public awareness of the application of Ohio's ethics law and, thereby, decrease the potential for ethics violations. Ethics education is offered through the development and distribution of informational materials, correspondence, educational sessions, telephone assistance, and the commission's website. Each year commission staff conduct educational presentations and provide helpful answers to general questions throughout the state. This program also incorporates the commission's statutory responsibility to review and recommend ethics-related legislation to the General Assembly.

The Executive Recommendation will:

- Support the commission's efforts to provide more than 150 sessions each year and thereby increase public understanding of Ohio's Ethics Law and related statutes and reduce the occurrence of ethics violations;
- Fund three staff members responsible for this program and scheduling, coordinating, and conducting ethics presentations and legal education seminars on ethics and conflicts of interest each year; and
- Fund the creation, updating, printing, and distribution of public information materials, the maintenance of mailing and email notification lists, and the development and distribution of public service announcements and press releases regarding the financial disclosure requirements and applicable deadlines.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	146-321	Operating Expenses	263,335	277,371
GSF	4M6	146-601	Operating Expenses	65,826	65,826
TOTAL FOR PROGRAM				329,161	343,197

Program 01.03: Financial Disclosure

This program administers and enforces the financial disclosure requirements of the Ohio Revised Code, which mandates that over 10,500 elected state, county and city officeholders, candidates for those offices, upper-level state administrative appointees and employees, and many state board and commission members and their executive directors, annually disclose their sources of income and investments. The purpose of the disclosure is to remind the filer and make the public and commission aware of potential conflicts of interests.

The Executive Recommendation will:

- Enable the commission to administer nearly 11,000 statements per year and individually review more than 2,500 of these for specific potential conflicts of interest each year; and
- Support three staff who coordinate filing requirements for officials and employees in 1,333 public entities, collect filing fees, make statements available in response to public records requests, and maintain the recently updated financial disclosure information database.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	146-321	Operating Expenses	286,124	244,796
GSF	4M6	146-601	Operating Expenses	85,812	85,812
TOTAL FOR PROGRAM				371,936	330,608

Program 01.04: Investigations

This program administers confidential investigations of allegations or complaints of ethics violations against public officials and employees and those with whom they do business. Because such allegations raise questions of potential criminal misconduct, the Ethics Commission reports its findings to the appropriate prosecuting authority in such

cases and as violations (penalized as either criminal felonies or misdemeanors) are evidenced. Investigations require objective and factual review, first-person interviews, subpoenaed documents and records. The commission investigates allegations of ethical wrongdoing involving public officials and employees, and private parties who interact with them, at every level of government, including state departments, boards and commissions, counties, cities, villages, townships, school districts, and other public entities. Investigative efforts by the commission have led to numerous public corruption convictions and court-ordered restitution to the public.

The Executive Recommendation will:

- Enable the ten Ethics Commission staff assigned to this program to receive, review, and analyze allegations and initiate complaints against or investigations (when substantiated) of those under its authority subject to the ethics law and related statutes;
- Allow the commission to pursue and secure criminal investigations, including the compulsory subpoenas for the production of documents and witnesses and preparation of cases for the criminal adjudicatory processes when probable cause presents a potential criminal violation and where objective evidence ultimately supports criminal misconduct. Commission staff will continue to be available to assist prosecutors as such cases proceed through the justice system; and
- Support the application of alternative resolution to violations of the Ohio Ethics Law under Ohio Revised Code 102.06, where traditional prosecution does not serve to adequately remedy the misconduct. These efforts will hold public officials and employees accountable for violations of the ethics law, assure compliance with the law, and maintain a uniform and objective standard of public ethics oversight.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	146-321	Operating Expenses	776,876	821,838
GSF	4M6	146-601	Operating Expenses	169,593	169,593
TOTAL FOR PROGRAM				946,469	991,431

Program 01.05: Program Management

This program provides general shared operating and administrative support costs needed to support all other program areas within the Ohio Ethics Commission such as human resources, information technology, and fiscal management.

The Executive Recommendation will:

- Provide funding for the shared (overhead) costs of all the program areas, such as office space, equipment, maintenance, and supplies.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	146-321	Operating Expenses	164,000	164,000
GSF	4M6	146-601	Operating Expenses	37,000	37,000
TOTAL FOR PROGRAM				201,000	201,000

LINE ITEM SUMMARY - Ethics Commission

FUND	ALI	ALI TITLE	FY 2004 ACTUAL	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 ESTIMATE	FY 2008 RECOMMENDED	% CHANGE	FY 2009 RECOMMENDED	% CHANGE
GRF	146-321	Operating Expenses	1,280,809	1,357,230	1,475,573	1,742,213	1,863,028	6.9	1,902,275	2.1
TOTAL General Revenue Fund			1,280,809	1,357,230	1,475,573	1,742,213	1,863,028	6.9	1,902,275	2.1
4M6	146-601	Operating Expenses	320,801	331,480	334,644	612,543	432,543	(29.4)	432,543	.0
TOTAL General Services Fund Group			320,801	331,480	334,644	612,543	432,543	(29.4)	432,543	.0
TOTAL Ethics Commission			1,601,610	1,688,710	1,810,217	2,354,756	2,295,571	(2.5)	2,334,818	1.7