

State of Ohio
Ohio Ethics Commission

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 advice, oversee financial disclosure, investigate unethical conduct, 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 \$1.75 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 restitution payments.

Executive Priorities for the Ohio Ethics Commission

- Ensure awareness of and compliance with the state's ethics law, as defined in the Ohio Revised Code, through the provision of reliable advisory services and educational programming to public officials, employees and those with whom they conduct business. Such efforts, including financial disclosure administration, are aimed at enabling individuals to avoid potential conflicts of interest and other violations of the ethics law and related statutes.
- Provide a system to properly investigate allegations of violations of the ethics law and related statutes, enforce compliance with the current law, and support the appropriate administration of penalties to those who are in violation of the law governing ethical behavior and conflicts of interest.
- Serve as the state's primary advisor on issues related to the ethics law and financial disclosure, related statutes and the administration of the same, which may include the review and preparation of recommendations regarding ethics-related legislation.
- Ensure proper management and maintenance of data records related to the role and responsibilities of the commission.

Summary of Budget History and Recommendations

(In thousands) BUDGET FUND GROUP	ACTUAL			ESTIMATE FY 2005	% CHANGE FY 04-05	RECOMMENDED			
	FY 2002	FY 2003	FY 2004			FY 2006	% CHANGE	FY 2007	% CHANGE
General Revenue Fund	1,250	1,251	1,281	1,351	5.5	1,476	9.3	1,476	.0
General Services Fund Group	392	404	321	428	33.3	503	17.5	433	(13.9)
TOTAL	1,642	1,656	1,602	1,779	11.1	1,979	11.2	1,909	(3.5)

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(In thousands) OBJECT OF EXPENSE	FY 2002	ACTUAL		ESTIMATE FY 2005	% CHANGE FY 04-05	RECOMMENDED			
		FY 2003	FY 2004			FY 2006	% CHANGE	FY 2007	% CHANGE
Personal Services	1,443	1,486	1,423	1,584	11.3	1,647	4.0	1,688	2.5
Purchased Services	12	2	4	13	239.6	10	(23.1)	10	.0
Maintenance	155	144	165	170	3.0	170	.0	170	.0
Equipment	30	22	9	10	11.1	150	1,400.0	39	(74.0)
Transfer & Other	2	1	1	2	71.7	2	.0	2	.0
TOTAL	1,642	1,656	1,602	1,779	11.1	1,979	11.2	1,909	(3.5)

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 advisory opinions; education and public information; financial disclosure; and investigations and 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 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 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.

What the Budget Buys:

- Provides for the commission to prepare approximately 150 advisory opinions and respond to over 3,000 telephone inquiries each year to interpret the ethics law and related statutes on behalf of public officials, employees, the general public, and the media;
- Supports 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
- Allows the commission and government entities to avoid costs related to unethical behavior, the investigation thereof, and resulting penalties to the public agency, by ensuring that unethical behavior does not occur.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	146-321	Operating Expenses	317,189	334,608
GSF	4M6	146-601	Operating Expenses	98,062	89,562
TOTAL FOR PROGRAM				415,251	424,170

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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 appearances, telephone assistance, and the commission's website. This program also assumes much of the responsibility to review and recommend ethics-related legislation to the General Assembly.

What the Budget Buys:

- Supports 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;
- Funds two 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
- Funds 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 GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	146-321	Operating Expenses	216,277	219,159
GSF	4M6	146-601	Operating Expenses	66,376	69,076
TOTAL FOR PROGRAM				282,653	288,235

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.

What the Budget Buys:

- Enables the commission to administer approximately 10,500 statements per year and individually review more than 2,500 of these for specific potential conflicts of interest each year;
- Supports 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 financial disclosure information database; and
- Funds the design and implementation of enhancements to the current financial disclosure database system, which was created nearly 12 years ago. These improvements will enable the commission to meet increased demands, including those related to responsibilities to monitor disclosure filers such as those within the public retirement systems recently added in Am. Sub. H.B. 133 of the 125th General Assembly.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	146-321	Operating Expenses	313,359	267,675
GSF	4M6	146-601	Operating Expenses	164,605	95,062
TOTAL FOR PROGRAM				477,964	362,737

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. The Ethics Commission reports its findings to the appropriate prosecuting authority in such cases as violations (penalized as either criminal felonies or misdemeanors)

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are evidenced. The commission investigates allegations of 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.

What the Budget Buys:

- Enables the eight 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;
- Allows 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 be available to assist prosecutors as such cases proceed through the justice system; and
- Supports the application of alternative resolutions 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 GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	146-321	Operating Expenses	629,388	654,771
GSF	4M6	146-601	Operating Expenses	173,500	178,843
TOTAL FOR PROGRAM				802,888	833,614

LINE ITEM SUMMARY - Ethics Commission

FUND	ALI	ALI TITLE	FY 2002 ACTUAL	FY 2003 ACTUAL	FY 2004 ACTUAL	FY 2005 ESTIMATE	FY 2006 RECOMMENDED	% CHANGE	FY 2007 RECOMMENDED	% CHANGE
GRF	146-321	Operating Expenses	1,250,192	1,251,362	1,280,809	1,351,213	1,476,213	9.3	1,476,213	.0
TOTAL General Revenue Fund			1,250,192	1,251,362	1,280,809	1,351,213	1,476,213	9.3	1,476,213	.0
4M6	146-601	Operating Expenses	391,955	404,444	320,801	427,543	502,543	17.5	432,543	(13.9)
TOTAL General Services Fund Group			391,955	404,444	320,801	427,543	502,543	17.5	432,543	(13.9)
TOTAL Ethics Commission			1,642,147	1,655,806	1,601,610	1,778,756	1,978,756	11.2	1,908,756	(3.5)