

101-11-01

**Definitions.**

The purpose of Chapter 101-11 of the Administrative Code is to clarify and implement the provisions of sections 121.60 to 121.68, and section 121.99 of the Revised Code. As used in this chapter of the Administrative Code and sections 121.60 to 121.68, and section 121.99 of the Revised Code.

(A) "Employer" means any person who, directly or indirectly, engages an executive agency lobbyist. Employer does not include any person:

- (1) Who is a member of a business, trade, professional, civic or other membership organization which employs an executive agency lobbyist; and
- (2) Who does not directly employ an executive agency lobbyist.

(B) "Executive agency decision" means a decision of an executive agency regarding the expenditure of funds of the state or of an executive agency with respect to the award of a contract, grant, lease, or other financial arrangement under which such funds are distributed or allocated, or a regulatory decision of an executive agency or any board or commission of the state. "Executive agency decision" does not include either of the following:

- (1) A purchasing decision for which a vendor has filed a statement certifying that he has not made campaign contributions in an amount such that section 3517.13 of the Revised Code would invalidate the decision, if that vendor has not engaged an executive agency lobbyist; or
- (2) The award of a competitively bid contract for which bid specifications were prepared and for which at least three eligible competitive bids were received by the executive agency.

(C) "A regulatory decision of an executive agency or any board or commission of the state" means a decision made by an agency, board or commission which has broad, universal application to all persons under the jurisdiction of such agency, board or commission. Such regulatory decision specifically includes the adoption of an administrative rule, bulletin, directive, or other policy statement or guideline, formal or informal, which the executive agency or board or commission intends to apply generally to all persons under the jurisdiction of such agency, board or commission, but does not include the decision of an executive agency or board or commission which is made solely with respect to one or more persons named in a particular case or similar matter.

(D) "Appearances" means the attendance at public hearings of the committees of the General Assembly, at court proceedings at rule-making or adjudication proceedings or at other public meetings to give oral or written testimony. The exception created in

division (A)(1) of section 121.66 of the Revised Code is limited to the presentation of oral or written testimony at a public hearing or meeting and does not exempt other contacts, except those made for the sole purpose of gathering information contained in a public record, with public officials to influence executive agency decisions or conduct executive agency lobbying activity.

(E) "Immediate family" means a spouse residing in the person's household and any dependent child.

(F) "Staff" means any state employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of state funds. "Staff" is limited to employees who are required to file a financial disclosure statement under section 102.02 of the Revised Code.

(G) "Expenditure" does not include any of the following:

- (1) Any publication of a trade, industry, government, or professional association; or
- (2) Any thing of value where the value of such item does not exceed twenty-five dollars, excluding meals and other food and beverages.

Five Year Review (FYR) Dates: 1/30/2023 and 01/30/2028

CERTIFIED ELECTRONICALLY

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Certification

01/30/2023

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Date

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