

State Republican



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October 1, 2015

BY HAND DELIVERY

The Honorable Jon Husted
Ohio Secretary of State
Elections Division
180 East Broad Street
Columbus, OH 43215

Re: Republican Central & Executive Committee of Ohio
Permanent Rules – As Amended Sept. 18, 2015

To Whom It May Concern:

On behalf of our client, the Ohio Republican Party State Central & Executive Committee, please find attached Permanent Rules, as Amended by the Committee at its meeting on September 18, 2015.

If you have any questions, please let me know, and thank you.

Sincerely,

Christopher N. Slagle
General Counsel

Attachment

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OHIO SECRETARY OF STATE

REPUBLICAN STATE CENTRAL AND EXECUTIVE COMMITTEE OF OHIO PERMANENT RULES

Filed with the Secretary of State and Revised As of September 18, 2015

ARTICLE I

Organization

- Section 1** The controlling committee of the Ohio Republican Party (the "ORP"), the Republican State Central Committee, shall consist of two members, one man and one woman, representing each senatorial district in the state. All members of the Committee must be members of the Republican Party and shall be elected for terms of two years, by direct vote at the primary held in an even-numbered year. Candidates for election as State Central Committee members shall be elected at primaries in the same manner as provided in Sections 3513.01 to 3513.32 of the Revised Code (or any successor provisions then in effect) for the nomination of candidates for office in a county.
- Section 2** At the first meeting of the State Central Committee following the election and qualification of its members, all of its officers, the chairman and co-chairman of the Ohio Republican Finance Committee, and the National Committeeman and National Committeewoman, shall be nominated and elected to the State Executive Committee, which shall then be merged into the Republican State Central Committee.
- Section 3** After the action directed in Section 2, the name of this Committee shall be the Republican State Central and Executive Committee of Ohio, and it will be referred to in these Permanent Rules as the "Committee".
- Section 4** The Committee shall manage the affairs of the ORP; have responsibility for its day-to-day operations at the State level; direct the general policy of the ORP organization; direct and conduct campaign activities; designate as an element of this Committee, the Ohio Republican Finance Committee, which shall be the principal fundraising adjunct of the ORP, and the Committee hereby commits to assist the Ohio Republican Finance Committee fully in its fundraising efforts. The Committee may also designate such political and fundraising auxiliaries and such candidate supporting entities as it may choose from time-to-time; promote the best interest of the ORP; and perform all duties prescribe by the Ohio Revised Code, federal election law, and by these Permanent Rules and/or by custom required of it. In its campaign activities relating to office created by Ohio law, conducted either directly or through the ORP Campaign Committee and in reports thereon to the Secretary of State and the Federal Elections Commission, this Committee shall identify itself as the "Ohio Republican Party", and shall be referred to as the "Ohio Republican Party".
- Section 5** No person elected to or holding any elected public office, other than a political party office, or member of a local board of elections or a presidential elector, shall be

qualified to be elected to or serve on the Committee. Notwithstanding the foregoing, the Chairman of the Committee shall not serve as chairman of a County Republican Executive or Central Committee

Section 6

- (a) Any candidate for election to the Committee who, during his or her candidacy, votes in a partisan primary other than a Republican partisan primary, shall be ineligible to be seated as a member of the Committee, if elected.
- (b) Any member of the Committee who, during his or her term of office, votes in a partisan primary other than a Republican partisan primary, automatically ceases to be a member of the Committee.

ARTICLE II

Officers

Section 1

During the month of January of each odd-numbered year, the Committee shall meet and elect its officers by a majority vote of the seated members of the Committee (but not including vacancies in the Committee). Any contested election for officers shall be voted by secret ballot. The officers shall serve at the pleasure of a majority of the seated members of the Committee (but not including vacancies in the Committee), or until their successors are elected and qualified. Unless otherwise provided by law (Ohio Revised Code Section 3517.02 or any successor provision then in effect), the Committee shall be the judge of the qualifications and the election of its members of the Committee. All contests of the election of members shall be brought, filed, and determined in accordance with the laws of Ohio (Ohio Revised Code Section 3517.02 and Ohio Revised Code Section 3517.03 or any success provision then in effect) and the rules of the Committee, not inconsistent therewith.

Section 2

The officers of the Committee shall be a Chairman, a Vice Chairman, a Secretary, a Treasurer and an Assistant Treasurer.

Section 3

The Committee may designate the position of Chairman Emeritus and Vice Chairman Emeritus for those persons who have served the ORP for a consistent period of no time less than 25 years, in addition to being Chairman or Vice Chairman within that time of service. They shall be elected by a majority vote of the seated members of the Committee (but not including vacancies in the Committee).

Section 4

As required by Ohio Revised Code Section 3517.02 (or any successor provision then in effect) a list of officers and member of the Standing Committees (as defined in Article IV) shall be filed with the Secretary of State within thirty days after their election.

ARTICLE III

Duties of Officers

Section 1

- (a) The Chairman shall maintain and direct the operation of the headquarters for the Committee in Columbus, which shall be open during ordinary business hours to Republicans and other citizen of Ohio who have business with it. The Chairman shall also manage the affairs of the Committee, perform all other duties prescribed by statute or usually exercised by the Chairman and not inconsistent with these rules.
- (b) The Chairman shall devote full time and attention to the duties, responsibilities and business of the ORP. The Chairman shall not, at any time, use his or her official position or the products or services of the ORP for private or personal gain. Nothing in this Section, however, shall prohibit the Chairman from accepting reasonable fees or honoraria as well as reimbursement for expenses for speeches, lectures, seminars or panel participation, or for published writings and recordings in relation to his or her position as Chairman.

The Chairman may engage in other business or professional activities so long as these activities do not interfere or conflict with the duties and responsibilities of being Chairman of the ORP. The Chairman shall not under any circumstances, other than for ORP business, engage in lobbying the executive or legislative branches of local, state, or federal governments. The Committee reserves the right, upon request, to review the Chairman's non-ORP business and professional income to ensure that the work performed for such income does not interfere with the full time duties and responsibilities of the Chairman in his role as Chairman of the ORP. The Chairman shall not serve as chairman of a County Republican Executive or Central Committee.

The Committee, at its meeting immediately prior to the election of the Chairman, shall review Section 1(b) of Article III of these Permanent Rules to determine whether to make any changes thereto.

- (c) The Chairman shall be paid a salary not less than that of the lowest paid state elected official and not more than that of the highest paid state elected official.

Section 2

The Vice Chairman shall perform the duties of the Chairman in the event of Chairman's absence, death, removal from office, resignation, removal from the State of Ohio, or inability to act, until a new Chairman is elected and qualified. In such case, the Secretary shall call a meeting of the Committee within 30 days for the purpose of electing a new Chairman.

Additionally, The Vice-Chairman will work under the direction of the Chairman to help accomplish the political and financial objectives set by the ORP.

Section 3 The Secretary shall keep the minutes of all meetings, copies of which shall be sent to all members within ten (10) days after the meeting, and shall keep and be custodian of the permanent books and records of the Committee except financial records.

Section 4 The Treasurer shall be responsible for all funds belonging to the Committee, and keep proper books of account on all monies received and paid out as to the Federal and State Campaign Accounts. The Treasurer shall file all appropriate financial reports, as required by law. Treasurer shall not pay out monies except by check countersigned by the Chairman or Vice Chairman, or the designee of either of them. The Treasurer shall render proper accounting to the Committee at each meeting thereof and shall be fully accountable to the Committee for all acts and doings as Treasurer. The Treasurer shall be bonded for \$25,000 and the Committee shall pay the premium for such bond.

Section 5 The Assistant Treasurer shall perform the duties of the Treasurer in the event of the Treasurer's death, absence, resignation, or removal from office, removal from the State of Ohio or inability to act, until a successor is elected and qualified. The Assistant Treasurer shall be bonded for twenty-five thousand dollars and the Committee shall pay the premium for such bond.

Section 6 The ORP shall also employ a Chief Financial Officer, who shall be bonded for twenty-five thousand dollars and the Committee shall pay the premium for such bond.

Section 7 No officer or member of the Committee shall have any power to bind this Committee by any financial contract or obligation except as provided by these rules, or by resolution properly adopted by a majority of the members of the Committee present and voting and properly recorded by the Secretary in the minutes of the Committee.

Section 8 Except as provided in Section 5 of Article 1, if the Chairman or any other officer of the Committee shall announce his/her candidacy for any elected office, not including a presidential elector, such announcement shall be considered a resignation from the ORP office that the individual holds, and that office shall immediately become vacant.

Section 9 The Committee shall purchase a bond or insurance for at least \$25,000.00 to protect the committee from errors, misfeasance or malfeasance by the Treasurer, Assistant Treasurer, Chief Financial Officer, and such other officers or employees as the Chairman shall direct. The Chairman shall determine, in consultation with the Fiscal Review Committee, the nature and amount of the bond or insurance and may adjust the coverage as may be in the best interests of the Committee.

ARTICLE IV

Standing Committees

Section 1 The Standing Committees of the Committee shall be: Audit, Budget Oversight, Fiscal Review, Policy, Chairman and Vice Chairman Review, and State Convention Arrangements (the "Standing Committees").

Section 2 The members of the Standing Committees shall be selected by the Chairman following the first meeting of the Committee following the election of its members.

Section 3 The Chairman of the Committee shall also serve as the Chairman of the Policy Committee. The Audit Committee, Budget Oversight Committee, Fiscal Review Committee, and the Chairman and Vice Chairman Review Committee shall elect their own chairman. The Chairman of the Committee shall appoint the Chairman of the State Convention Arrangements Committee.

Section 4 The Fiscal Review Committee shall consist of the Chairman, Vice Chairman, Secretary, and Treasurer, and such others who shall be members of the Ohio Republican Finance Committee, as the Chairman of the Committee may appoint. The Fiscal Review Committee shall consider and approve the budget, pass upon recommendations to the Chairman as to staff salaries, authorize expenditures and arrange for the collection of funds.

Section 5 The Budget Oversight Committee shall be composed of seven members of the Committee and the Ohio Republican Finance Committee; and the authorized number of members to be selected for the Budget Oversight Committee from the Ohio Republican Finance Committee shall never be fewer than one member less than a majority of the membership of the Budget Oversight Committee.

The functions of the Budget Oversight Committee shall include the following:

- (a) To advise and assist the Chairman and the staff in preparation, implementation, and oversight of the annual budget for the ORP's operation.
- (b) To recommend the final budget for review and approval by the Ohio Republican Finance Committee and the Fiscal Review and Policy Committees of the Committee by December 31 of each calendar year, for final approval by the Committee.
- (c) To review and analyze quarterly all proposed and actual income and expenditures of the Committee.

Section 6 The Audit Committee shall consist of three members. The Audit Committee shall examine the accounts of the Treasurer, for which purpose it shall have authority to employ a certified public accountant, and shall make an annual report to the Committee.

Section 7 The Policy Committee shall consist of the officers of the Committee, the Chairman of the Audit Committee, the National Committeeman and National Committeewoman, and the Chairman and Co-Chairman of the Ohio Republican Finance Committee, and shall have

the power to act on all matters for the Committee during the interval between its meetings.

Section 8 The Chairman and Vice Chairman Review Committee shall be composed of seven members elected by the Committee, including members of the State Committee, the Ohio Republican Finance Committee, and former ORP chairmen. Where possible, this Committee shall include at least two members from the Committee, at least two members from the Ohio Republican Finance Committee, and at least two former ORP chairmen. The Chairman and Vice Chairman Review Committee shall periodically make a review of the salary and other matters relating to the duties and responsibilities of the Chairman and Vice Chairman and make recommendations to the full Committee.

Section 9 The State Convention Arrangements Committee, as needed, shall make necessary recommendations for the management of the State Convention, if a State Convention is held (pursuant to Ohio Revised Code Section 3513.11 or any successor provision then in effect.)

ARTICLE V

Meetings

Section 1 Three meetings of the Committee shall be held each year at such times as the Chairman may fix. The members of the Committee may call a Special Meeting by written petition signed by at least fifteen (15) members of the Committee which petition states the purpose for such Special Meeting and which petition is delivered to the Chairman. The Chairman shall cause proper notice of such Special Meeting (given in accordance with this Section) to be sent to all members of the Committee within fifteen (15) days of his receipt of the petition provided for herein. Written notice setting forth the time, location, and purpose of each meeting of the Committee shall be delivered to every member at least ten (10) days prior to the date of the meeting, with the exception of the first organizational meeting following election of Committee members. Pursuant to Ohio Revised Code Section 3517.04 or any successor provision then in effect, notice of the first meeting following election of committee members must be sent via regular mail with a copy posted in the Secretary of State's Office. All meetings shall be held in Central Ohio unless the Committee directs otherwise.

Section 2 A majority of the members of the Committee shall constitute a quorum and a majority of that quorum (i.e., a majority of members present and voting) shall have power to transact any business, unless herein or by law (Ohio Revised Code Section 3517.04 or any successor provision then in effect) otherwise provides.

Section 3 All meetings of the Committee shall be open to the public and press. It shall be in order for the Committee or any Standing Committee to go into executive session to consider

and to vote upon matters of the budget, personnel, legal affairs, and any other matter that is not required by law to be discussed and voted upon in an open meeting, upon a majority vote of those members present and voting.

Section 4

Any Committee member who is unable to participate in a Committee meeting in person may fully participate in the proceedings for the Committee via telephone conference call, or as available, other means of electronic remote participation. However, a member of the Committee attending a meeting by telephone conference call, or as available, other means of electronic remote participation may not vote on the election of officers or the replacement of statewide candidates after a primary election, in accordance with Ohio Revised Code Section 3513.31 or any successor provision then in effect.

A Committee member shall be allowed to participate by remote location in no more than one (1) meeting per calendar year.

Any Committee member participating from a remote location shall be counted as part of the Committee quorum, shall be permitted to make or second Committee motions as often as necessary, and shall have his or her vote counted for all business of the Committee pursuant to these rules, with the exception of elections for officers and replacement of statewide candidates after a primary election, in accordance with Ohio Revised Code Section 3513.31 or any successor provision then in effect.

ARTICLE VI

Vacancies and Endorsements

Section 1

Vacancies in the Committee shall be filed as provided by law (Ohio Revised Code Section 3517.05 or any successor provision then in effect.) When a vacancy occurs, the Chairman shall notify the Chairman of the County Central Committee of each county in the district in which the vacancy exists and shall await reports from them as to their preferences for a period of not less than 20 days, before calling upon the Committee to fill the vacancy.

Section 2

- (a) The Committee may endorse non-incumbent statewide candidates in Republican primaries for the offices of President, United States Senator, Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney General provided that two-thirds (2/3) of the seated members Committee (but not including vacancies in the Committee) first votes in the affirmative to endorse. Each race shall be considered separately.
- (b) The Committee may endorse incumbent statewide officials, incumbent state legislators, incumbent members of Congress, incumbent members of the State Board of Education, and incumbent members of the Committee. The Committee may also endorse in each Ohio Supreme Court primary and in primaries for state legislative races and Congressional races in accordance with policy guidelines adopted by the Committee.
- (c) Intention to consider endorsements must be included on the meeting agenda sent to each member.
- (d) No ORP candidate services shall be used to attack any other Republican candidate in a primary election. ORP candidate services will only be used in a primary campaign when the candidate is supported in accordance with the primary policy guidelines.

Section 3

The Committee reserves the right to suspend this rule with a two-thirds (2/3) vote of the seated members of the Committee (but not including vacancies in the Committee).

ARTICLE VII

Rules of Order

Section 1

All matters required be shall be voted on openly in a manner determined by the Committee. One member, seconded by three others, may require a vote by secret ballot.

Section 2

The most recent edition of Robert's Rules of Order shall govern all proceedings of the Committee not specifically covered by these Permanent Rules.

ARTICLE VIII

Adoption of Rules

Section 1

These Permanent Rules may be amended at any meeting of the Committee by a vote of two-thirds of the seated members of the Committee (but not including vacancies in the Committee), or they may be amended at any meeting of the Committee by vote of a majority of the members of the Committee present and voting, provided that written notice of the proposed changes shall have been given in the notice of the meeting.

Section 2 These Permanent Rules may be suspended at any meeting of the Committee by the vote of two-thirds (2/3) of the seated members of the Committee (not including vacancies).

Section 3 As required by Ohio Revised Code Section 3517.02 (or any successor provision then in effect), a copy of these Permanent Rules and any amendment thereto, shall be filed with the Secretary of State within thirty days after adoption.

ARTICLE IX

Selection of National Committee Members

Section 1 At one meeting designated by the Chairman and held without interruption or recess during the year in which a Republican National Convention meets, not sooner than thirty (30) days after written notice of the time, location, and specified purpose of electing a National Committeeman and National Committeewoman, the Committee shall receive nominations for and shall elect a National Committeeman and a National Committeewoman. Any member present may nominate a candidate for National Committeeman and a candidate for National Committeewoman. A nominee need not be a member of the Committee.

Section 2 The Committee shall elect a National Committeeman and National Committeewoman by separate and secret ballots at the same meeting during which nomination are received. A majority of the votes cast shall be sufficient to elect. Voting shall continue until a nominee receives a majority. After any ballot, the name of a nominee may be withdrawn by the Committee member who offered it.

Section 3

- (a) If the office of the elected National Committeeman or National Committeewoman becomes vacant, it shall be filled for the unexpired term by election at a meeting of the Committee held within sixty (60) days after occurrence of the vacancy, but not sooner than thirty (30) days after written notice of the time, location, and specific purpose of electing a National Committeeman or National Committeewoman.
- (b) The Committee shall elect to fill the vacancy by secret ballot at the same meeting during which nominations are received. Any member present may nominate a candidate to fill the vacancy. A nominee need not be a member of the Committee. A majority of votes cast shall be sufficient to elect. Voting shall continue until a nominee receives a majority. After any ballot, the name of a nominee may be withdrawn by the Committee member who offered it. The name of the person elected to fill the vacancy shall be reported in writing to the Chairman and Secretary of the Republican National Committee.

Section 4

The names of the National Committeeman and National Committeewoman so elected shall be reported in writing by the Chairman of this Committee to the Chairman of the Ohio Delegation to the next quadrennial Republican National Convention.

ARTICLE X

Rules Relating to Delegates and Alternate Delegates to the Republican National Convention

Section 1

- (a) Except as otherwise provided in these Rules, the slate of presidential delegates and alternate delegates may be chosen in one of two ways:
- i. Candidates for delegate and alternate delegate shall file a petition and be chosen by a direct vote of the electors and described in Ohio Revise Code 3513.12 or any successor provision then in effect; and
 - ii. Presidential candidates who file a declaration of candidacy and attach a list of delegates and alternate delegates selected in accordance with these Rules pursuant to Ohio Revised Code 3513.121 or any successor provision then in effect.

The procedures for the selection of delegates and alternate delegates described in paragraphs (1) and (2) of this section are alternative procedures, and if the procedures of one paragraph are followed, the procedures of the other need not be followed. Nomination of delegates and alternate delegates under either method must also comply with the remained provisions in the Rule, to the extent possible.

- (b) The three members of the Republican National Committee shall automatically be delegates to the convention and at-large delegates shall be named by each presidential campaign by filing the appropriate forms with the Secretary of State's office.
- (c) Beginning in 1992 and in every Presidential election year thereafter, every Presidential candidate filling slates of candidates for Delegate and Alternate Delegate in the Ohio Republican Presidential Primary Election shall apportion his or her Delegates and Alternate Delegates in such a manner as to guarantee equality of representation (plus or minus one) between men and women. Commencing with the Presidential election of 1992 and in alternating presidential elections thereafter, in the first Congressional district the first delegate named shall be a woman, and thereafter delegates from each successive district, in numerical order shall be named in alternating order, man and woman, until all district delegates have been selected, in the intervening alternate Presidential election years, in the first Congressional district the first delegate named shall be a man, and thereafter delegates from each successive district, in numerical order shall be named in alternating order, woman and man, until all district delegates have been selected. In the event that there is one more Delegate of either gender, then the slate of Alternate Delegates shall contain one more member of the opposite gender.
- (d) The winner of the 2016 Ohio Presidential Primary shall be awarded all 66 delegates and 63 alternates to the Republican National Convention whether the delegates are at-large or awarded by Congressional district.

Section 2

- (a) In presidential election years, all Presidential candidates filing slates of delegates in the Ohio Republican Primary Election shall notify the Chairman of the ORP, in writing, of the names, addresses and telephone numbers of one person in Ohio, Who shall be designated as that candidate's Designated Campaign Official. The Designated Campaign Official shall be responsible for notifying the Chairman of the ORP of the names of Delegates and Alternate Delegates as provided by this rule. In Presidential Election years beginning in 1992 and thereafter, such notification shall be delivered to the Chairman not later than the filing deadline for the Ohio Primary, the ORP and shall perform all the functions of that office until such time as the Presidential candidate shall notify the State Chairman, in writing, of the removal of his or her Designated Campaign Official, and/or the appointment of the new Designated Campaign Official.
- (b) If the number of Congressional districts apportioned to the State of Ohio is to be either increased or decreased in any Presidential election year following a decennial census, and the General Assembly has not passed legislation, signed by the Governor, establishing the requisite number of Congressional districts by midnight of the 5th day preceding the dates for filing petitions for the primary election, then district delegates shall be elected as follows:
- i. If the number of Congressional districts is to be increased from the previous decennial apportionment, then district delegates shall be elected from the existing districts up to the amount of district delegates to which Ohio was entitled before the reapportionment and all additional district delegates shall be elected at large.
 - ii. If the number of Congressional districts is to be decreased from the previous decennial apportionment, then two delegates shall be elected from each of the then existing congressional districts, and all additional delegates shall be elected at large.

Section 3

During the period between the filing deadline and the Primary Election, in the event that a Delegate or Alternate Delegate dies, resigns, or suffers such substantial disability as would make it difficult or impossible, in the sole opinion of the Designated Campaign Official, to perform the duties of Delegate or Alternate Delegate, then a vacancy shall be deemed to be created thereby among the Delegates or Alternate Delegates listed on petitions certified by the Secretary of State or a local Board of Elections. The State Chairman shall fill those vacancies in accordance with the wishes of the Presidential candidate as so directed in writing by the Designated Campaign Official. This may include the shifting of Alternate Delegates into vacant Delegate positions or the naming of individuals not listed on the original petition to fill either Delegate or Alternate Delegate vacancies.

The Designated Campaign Official shall notify the Chairman of the ORP of such changes, together with written consent from the Presidential candidate he or she represents, in accordance with the Ohio Revised Code Section 3513, or any successor provision then in

effect. Such notice shall be delivered not later than 4.00 p.m. on the Wednesday preceding the date of the Ohio Primary Election. The Chairman of the ORP shall notify either the Secretary of State or the appropriate County Board of Elections of the changes to the Presidential candidate's Delegate or Alternate Delegate slate not later than 4.00 p.m. of the Friday preceding the Ohio Primary Election.

Section 4

Within thirty (30) days following the Ohio Primary Election, each Designated Campaign Official of any Presidential candidate winning Delegates to the National Convention, shall notify the Chairman of the ORP of the rank ordering of Alternate Delegates for such candidate. The Alternate Delegates from Congressional districts shall be ranked only in the Congressional district from which they were elected. Alternate Delegates elected at-large shall be ranked as a group separate and apart from Alternate Delegates in Congressional districts.

Section 5

During the period between the date of the Primary election and the 30th day prior to the convening of the Republican National Convention, in the event that a Delegate or Alternate Delegate dies, resigns, or suffers such substantial disability as would make it difficult or impossible, in the sole opinion of the Designated Campaign Official to perform the duties of Delegate or Alternate Delegate, then a vacancy shall be deemed to be created thereby among the Delegates or Alternate Delegates listed on petitions certified by the Secretary of State or a local Board of Elections. The Designated Campaign Official for each Presidential campaign shall have the power to fill any such vacancies which occur among Delegates or Alternate Delegates not later than 4:00 p.m. on the 35th day prior to the convening of the Republican National Convention. The Chairman of the ORP shall convey to the Secretary of State and appropriate County Boards of Elections the names of all Delegates or Alternate Delegates. The Secretary of State shall be directed to certify the names of such Delegates or Alternate Delegates to the Republican National Convention not later than 30 days prior to the convening of the Republican National Convention, in accordance with the national rules of the Republican Party.

Section 6

- (a) Notices of contests shall state the grounds of the contest and shall be filed no later than sixty (60) days before the time set for the meeting of the National Convention with the Secretary of the Committee. Notices of contests may be filed only by a resident of Ohio. Only contests that are timely filed under these rules shall be considered.

For purposes of the rules relating to contests and credentials, the term "party" shall mean a person or persons who shall have filed a Notice of Contest pursuant to this Article, and the person or person whose right to be seated as Delegate or Alternate Delegate is the subject of such Notice of Contest.