

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 311

Representative Greenspan

A BILL

To amend section 102.06 and to enact sections 1
121.54, 305.20, 318.01, 318.02, 318.03, 318.04,
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318.05, 318.06, 318.07, 318.08, 318.081, 318.09,
3
and 318.10 of the Revised Code to authorize
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counties to request and obtain a county
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inspector general to investigate wrongful acts
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or omissions in county and other political
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subdivision government. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 102.06 be amended and sections 9
121.54, 305.20, 318.01, 318.02, 318.03, 318.04, 318.05, 318.06,
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318.07, 318.08, 318.081, 318.09, and 318.10 of the Revised Code
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be enacted to read as follows: 12

Sec. 102.06. (A) The appropriate ethics commission shall 13
receive and may initiate complaints against persons subject to 14
this chapter concerning conduct alleged to be in violation of 15
this chapter or section 2921.42 or 2921.43 of the Revised Code. 16
All complaints except those by the commission shall be by 17
affidavit made on personal knowledge, subject to the penalties 18
of perjury. Complaints by the commission shall be by affidavit, 19

based upon reasonable cause to believe that a violation has 20
occurred. 21

(B) The appropriate ethics commission shall investigate 22
complaints, may investigate charges presented to it, and may 23
request further information, including the specific amount of 24
income from a source, from any person filing with the commission 25
a statement required by section 102.02 or 102.021 of the Revised 26
Code, if the information sought is directly relevant to a 27
complaint or charges received by the commission pursuant to this 28
section. This information is confidential, except that the 29
commission, in its discretion, may share information gathered in 30
the course of any investigation with, or disclose the 31
information to, the inspector general, a county inspector 32
general, any appropriate prosecuting authority, any law 33
enforcement agency, or any other appropriate ethics commission. 34
If the accused person is a member of the public employees 35
retirement board, state teachers retirement board, school 36
employees retirement board, board of trustees of the Ohio police 37
and fire pension fund, or state highway patrol retirement board, 38
or is a member of the bureau of workers' compensation board of 39
directors, the appropriate ethics commission, in its discretion, 40
also may share information gathered in the course of an 41
investigation with, or disclose the information to, the attorney 42
general and the auditor of state. The person so requested shall 43
furnish the information to the commission, unless within fifteen 44
days from the date of the request the person files an action for 45
declaratory judgment challenging the legitimacy of the request 46
in the court of common pleas of the county of the person's 47
residence, the person's place of employment, or Franklin county. 48
The requested information need not be furnished to the 49
commission during the pendency of the judicial proceedings. 50

Proceedings of the commission in connection with the declaratory 51
judgment action shall be kept confidential except as otherwise 52
provided by this section. Before the commission proceeds to take 53
any formal action against a person who is the subject of an 54
investigation based on charges presented to the commission, a 55
complaint shall be filed against the person. If the commission 56
finds that a complaint is not frivolous, and there is reasonable 57
cause to believe that the facts alleged in a complaint 58
constitute a violation of section 102.02, 102.021, 102.03, 59
102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it 60
shall hold a hearing. If the commission does not so find, it 61
shall dismiss the complaint and notify the accused person in 62
writing of the dismissal of the complaint. The commission shall 63
not make a report of its finding unless the accused person 64
requests a report. Upon the request of the accused person, the 65
commission shall make a public report of its finding. The person 66
against whom the complaint is directed shall be given reasonable 67
notice by certified mail of the date, time, and place of the 68
hearing and a statement of the charges and the law directly 69
involved and shall be given the opportunity to be represented by 70
counsel, to have counsel appointed for the person if the person 71
is unable to afford counsel without undue hardship, to examine 72
the evidence against the person, to produce evidence and to call 73
and subpoena witnesses in the person's defense, to confront the 74
person's accusers, and to cross-examine witnesses. The 75
commission shall have a stenographic record made of the hearing. 76
The hearing shall be closed to the public. 77

(C) (1) (a) If, upon the basis of the hearing, the 78
appropriate ethics commission finds by a preponderance of the 79
evidence that the facts alleged in the complaint are true and 80
constitute a violation of section 102.02, 102.021, 102.03, 81

102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it 82
shall report its findings to the appropriate prosecuting 83
authority for proceedings in prosecution of the violation and to 84
the appointing or employing authority of the accused. If the 85
accused person is a member of the public employees retirement 86
board, state teachers retirement board, school employees 87
retirement board, board of trustees of the Ohio police and fire 88
pension fund, or state highway patrol retirement board, the 89
commission also shall report its findings to the Ohio retirement 90
study council. 91

(b) If the Ohio ethics commission reports its findings to 92
the appropriate prosecuting authority under division (C) (1) (a) 93
of this section and the prosecuting authority has not initiated 94
any official action on those findings within ninety days after 95
receiving the commission's report of them, the commission may 96
publicly comment that no official action has been taken on its 97
findings, except that the commission shall make no comment in 98
violation of the Rules of Criminal Procedure or about any 99
indictment that has been sealed pursuant to any law or those 100
rules. The commission shall make no comment regarding the merits 101
of its findings. As used in division (C) (1) (b) of this section, 102
"official action" means prosecution, closure after 103
investigation, or grand jury action resulting in a true bill of 104
indictment or no true bill of indictment. 105

(2) If the appropriate ethics commission does not find by 106
a preponderance of the evidence that the facts alleged in the 107
complaint are true and constitute a violation of section 102.02, 108
102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the 109
Revised Code or if the commission has not scheduled a hearing 110
within ninety days after the complaint is filed or has not 111
finally disposed of the complaint within six months after it has 112

been heard, it shall dismiss the complaint and notify the 113
accused person in writing of the dismissal of the complaint. The 114
commission shall not make a report of its finding unless the 115
accused person requests a report. Upon the request of the 116
accused person, the commission shall make a public report of the 117
finding, but in this case all evidence and the record of the 118
hearing shall remain confidential unless the accused person also 119
requests that the evidence and record be made public. Upon 120
request by the accused person, the commission shall make the 121
evidence and the record available for public inspection. 122

(D) The appropriate ethics commission, or a member of the 123
commission, may administer oaths, and the commission may issue 124
subpoenas to any person in the state compelling the attendance 125
of witnesses and the production of relevant papers, books, 126
accounts, and records. The commission shall issue subpoenas to 127
compel the attendance of witnesses and the production of 128
documents upon the request of an accused person. Section 101.42 129
of the Revised Code shall govern the issuance of these subpoenas 130
insofar as applicable. Upon the refusal of any person to obey a 131
subpoena or to be sworn or to answer as a witness, the 132
commission may apply to the court of common pleas of Franklin 133
county under section 2705.03 of the Revised Code. The court 134
shall hold proceedings in accordance with Chapter 2705. of the 135
Revised Code. The commission or the accused person may take the 136
depositions of witnesses residing within or without the state in 137
the same manner as prescribed by law for the taking of 138
depositions in civil actions in the court of common pleas. 139

(E) At least once each year, the Ohio ethics commission 140
shall report on its activities of the immediately preceding year 141
to the majority and minority leaders of the senate and house of 142
representatives of the general assembly. The report shall 143

indicate the total number of complaints received, initiated, and 144
investigated by the commission, the total number of complaints 145
for which formal hearings were held, and the total number of 146
complaints for which formal prosecution was recommended or 147
requested by the commission. The report also shall indicate the 148
nature of the inappropriate conduct alleged in each complaint 149
and the governmental entity with which any employee or official 150
that is the subject of a complaint was employed at the time of 151
the alleged inappropriate conduct. 152

(F) All papers, records, affidavits, and documents upon 153
any complaint, inquiry, or investigation relating to the 154
proceedings of the appropriate ethics commission shall be sealed 155
and are private and confidential, except as otherwise provided 156
in this section and section 102.07 of the Revised Code. 157

(G) (1) When a complaint or charge is before it, the Ohio 158
ethics commission or the appropriate prosecuting authority, in 159
consultation with the person filing the complaint or charge, the 160
accused, and any other person the commission or prosecuting 161
authority considers necessary, may compromise or settle the 162
complaint or charge with the agreement of the accused. The 163
compromise or settlement may include mediation, restitution, 164
rescission of affected contracts, forfeiture of any benefits 165
resulting from a violation or potential violation of law, 166
resignation of a public official or employee, or any other 167
relief that is agreed upon between the commission or prosecuting 168
authority and the accused. 169

(2) Any settlement agreement entered into under division 170
(G) (1) of this section shall be in writing and be accompanied by 171
a statement of the findings of the commission or prosecuting 172
authority and the reasons for entering into the agreement. The 173

commission or prosecuting authority shall retain the agreement 174
and statement in the commission's or prosecuting authority's 175
office and, in the commission's or prosecuting authority's 176
discretion, may make the agreement, the statement, and any 177
supporting information public, unless the agreement provides 178
otherwise. 179

(3) If a settlement agreement is breached by the accused, 180
the commission or prosecuting authority, in the commission's or 181
prosecuting authority's discretion, may rescind the agreement 182
and reinstitute any investigation, hearing, or prosecution of 183
the accused. No information obtained from the accused in 184
reaching the settlement that is not otherwise discoverable from 185
the accused shall be used in any proceeding before the 186
commission or by the appropriate prosecuting authority in 187
prosecuting the violation. Notwithstanding any other section of 188
the Revised Code, if a settlement agreement is breached, any 189
statute of limitations for a violation of this chapter or 190
section 2921.42 or 2921.43 of the Revised Code is tolled from 191
the date the complaint or charge is filed until the date the 192
settlement agreement is breached. 193

Sec. 121.54. (A) The state commission for county inspector 194
general services is created to approve and appoint the county 195
inspectors general when requested by one or more boards of 196
county commissioners under section 305.20 of the Revised Code. 197
The commission consists of the attorney general, the auditor of 198
state, the secretary of state, the treasurer of state, and the 199
lieutenant governor. The commission shall organize by selecting 200
from its members a chairperson and a vice-chairperson. 201

(B) The commission shall meet as required by section 202
305.20 of the Revised Code to consider persons referred to it as 203

eligible for the office of county inspector general. If the 204
person is approved, the commission shall appoint the person to 205
the position for a four-year term. The person may be approved 206
and reappointed by the commission to subsequent four-year terms 207
unless replaced by the appointment of another county inspector 208
general at the end of the county inspector general's four-year 209
term. The commission may remove the county inspector general 210
from office in term for cause only after delivering written 211
notice to the county inspector general of the reasons for which 212
the commission intends to remove the county inspector general 213
from office and providing the county inspector general with an 214
opportunity to appear and show cause why the inspector general 215
should not be removed. 216

(C) The commission shall serve as the appointing authority 217
for the county inspector general in order to maintain the 218
independence of the office, but the board of county 219
commissioners shall pay the reasonable compensation and office 220
expenses as requested by the county inspector general in the 221
annual budget presented to the board of county commissioners and 222
as approved by the state commission for county inspector general 223
services. 224

(D) Members of the commission shall serve so long as they 225
are holding their respective statewide offices. A vacancy in the 226
office of any member of the commission shall be filled in the 227
same manner as the original appointment. 228

Sec. 305.20. (A) A board of county commissioners may, by 229
resolution, request the state inspector general to recommend 230
qualified individuals to the state commission for county 231
inspector general services created under section 121.54 of the 232
Revised Code to appoint a person to serve as an inspector 233

general for the county. The inspector general shall interview 234
candidates for the position and recommend the three most 235
qualified individuals to the commission. The qualified 236
individual shall meet the requirements set forth in section 237
318.09 of the Revised Code. One or more of the eligible 238
candidates may be an employee of the state inspector general at 239
the time of consideration or an individual interviewed by the 240
state inspector general to ascertain the individual's 241
qualifications to serve as an inspector general for the county. 242

(B) Not later than thirty days after making the referral 243
of the three most qualified individuals, the commission shall 244
convene to consider the persons referred. The commission shall 245
appoint the person it considers most qualified to work on behalf 246
of the county but as an independent and autonomous entity for 247
the purpose of investigating wrongful acts or omissions, as 248
defined in section 318.01 of the Revised Code, of county 249
agencies, officers, and employees. 250

(C) The county inspector general shall submit a reasonable 251
budget to the board of county commissioners to provide for the 252
operations of the office, including such assistants and 253
employees as are necessary to provide the services of a county 254
inspector general. The board of county commissioners shall 255
approve the requested budget with the approval of the commission 256
for county inspector general services created under section 257
121.54 of the Revised Code. 258

(D) Although the county inspector general's office is 259
independent from the county, the board of county commissioners 260
shall pay all expenses of the office as provided for in the 261
annual budget approved as provided in division (C) of this 262
section. 263

(E) Two or more counties may adopt a resolution expressing 264
their intent to seek a county inspector general to serve those 265
counties jointly. The boards of county commissioners shall 266
obtain the approval and appointment of the commission for county 267
inspector general services as provided in this section and shall 268
determine a reasonable allocation of the costs among them. 269

(F) With the approval of the board of county commissioners 270
of a county with an appointed inspector general, the county 271
inspector general may contract with one or more counties or 272
other political subdivisions to provide inspector general 273
services to those entities for a fee, agreed to by the board, 274
and set forth in the contract. The fee shall be paid into the 275
county general fund. A county inspector general that has entered 276
into a contract with another county or other political 277
subdivision to provide inspector general services has 278
jurisdiction in that county or other political subdivision for 279
purposes of Chapter 318. of the Revised Code. 280

(G) The state commission for county inspector general 281
services, created under section 121.54 of the Revised Code, 282
shall be the appointing authority for the county inspector 283
general in order to maintain the independence of the office and 284
assure that no interference or influence will adversely affect 285
the independence and objectivity necessary for the county 286
inspector general. The commission may remove the county 287
inspector general from office, during the term of office, for 288
cause only after delivering written notice to the county 289
inspector general of the reasons for which the commission 290
intends to remove the county inspector general from office and 291
providing the county inspector general with an opportunity to 292
appear and show cause why the county inspector general should 293
not be removed. 294

<u>Sec. 318.01. As used in sections 318.01 to 318.10 of the</u>	295
<u>Revised Code:</u>	296
<u>(A) "Appropriate ethics commission" has the same meaning</u>	297
<u>as in section 102.01 of the Revised Code.</u>	298
<u>(B) "Appropriate licensing agency" means a public or</u>	299
<u>private entity that is responsible for licensing, certifying, or</u>	300
<u>registering persons who are engaged in a particular vocation.</u>	301
<u>(C) "Political subdivision agency" means any department,</u>	302
<u>authority, commission, officer, or board of a county, township,</u>	303
<u>municipal corporation, or any other body corporate and politic</u>	304
<u>that is responsible for governmental activities only in a</u>	305
<u>geographical area smaller than the state.</u>	306
<u>(D) "County agency" means any department, authority,</u>	307
<u>commission, officer, or board of the county, and also includes</u>	308
<u>any of the following:</u>	309
<u>(1) A nonprofit corporation that is recognized by the</u>	310
<u>board of county commissioners as a convention and visitors'</u>	311
<u>bureau that receives funds from the county general fund or from</u>	312
<u>a lodging excise tax levied under Chapter 5739. of the Revised</u>	313
<u>Code;</u>	314
<u>(2) Any corporation created under Chapter 1724. of the</u>	315
<u>Revised Code;</u>	316
<u>(3) A private institution, association, board, or</u>	317
<u>corporation that receives public money from the county, or that</u>	318
<u>may be audited by the auditor of state as set forth in section</u>	319
<u>117.10 of the Revised Code.</u>	320
<u>(E) "County or other political subdivision employee" means</u>	321
<u>any person who is an employee of a county or other political</u>	322

subdivision agency, or any person who does business with the 323
county or political subdivision in which the county inspector 324
general has jurisdiction. 325

(F) "County or other political subdivision officer" means 326
any person who is elected or appointed to a public office in a 327
county or other political subdivision agency in which the county 328
inspector general has jurisdiction. 329

(G) "Wrongful act or omission" means an act or omission, 330
committed in the course of office holding or employment, that is 331
not in accordance with the requirements of law or such standards 332
of proper governmental conduct as are commonly accepted in the 333
community and thereby subverts, or tends to subvert, the process 334
of government. 335

Sec. 318.02. The county inspector general shall do all of 336
the following: 337

(A) Investigate the management and operation of county 338
agencies on the inspector general's own initiative in order to 339
determine whether wrongful acts and omissions have been 340
committed or are being committed by county officers or 341
employees, or investigate, on the inspector general's own 342
initiative, the management and operation of such other political 343
subdivision agencies as have entered into a contract with the 344
inspector general for the services of the inspector general in 345
the political subdivision; 346

(B) Receive complaints under section 318.06 of the Revised 347
Code alleging wrongful acts and omissions, determine whether the 348
information contained in those complaints allege facts that give 349
reasonable cause to investigate, and, if so, investigate to 350
determine if there is reasonable cause to believe that the 351

alleged wrongful act or omission has been committed or is being 352
committed by a county officer or employee, or by a political 353
subdivision officer or employee if that political subdivision 354
has contracted with the county inspector general for services; 355

(C) Except as otherwise provided in this division, 356
contemporaneously report suspected crimes and wrongful acts or 357
omissions that were or are being committed by county officers or 358
employees, or such other officers or employees of political 359
subdivisions that have contracted with the county inspector 360
general, to the governor and to the appropriate state or federal 361
prosecuting authority with jurisdiction over the matter if there 362
is reasonable cause to believe that a crime has occurred or is 363
occurring. In addition, the county inspector general shall 364
report the wrongful acts or omissions, as appropriate under the 365
circumstances, to the appropriate ethics commission in 366
accordance with section 102.06 of the Revised Code, the 367
appropriate licensing agency for possible disciplinary action, 368
or the officer's or employee's appointing authority for possible 369
disciplinary action. The county inspector general shall not 370
report a wrongful act or omission to a person as required by 371
this division if that person allegedly committed or is 372
committing the wrongful act or omission. 373

(D) Except as otherwise provided in this division, 374
contemporaneously report suspected crimes and wrongful acts or 375
omissions that the county inspector general becomes aware of in 376
connection with an investigation of a county or other political 377
subdivision agency, officer, or employee, and that were or are 378
being committed by persons who are not county or other political 379
subdivision officers or employees to the governor and to the 380
appropriate state or federal prosecuting authority with 381
jurisdiction over the matter if there is reasonable cause to 382

believe that a crime has occurred or is occurring. In addition, 383
the county inspector general shall report the wrongful acts or 384
omissions, as appropriate under the circumstances, to the 385
appropriate ethics commission in accordance with section 102.06 386
of the Revised Code, the appropriate licensing agency for 387
possible disciplinary action, or the person's public or private 388
employer for possible disciplinary action. The county inspector 389
general shall not report a wrongful act or omission to a person 390
as required by this division if that person allegedly committed 391
or is committing the wrongful act or omission. 392

(E) Prepare a detailed report of each investigation, upon 393
its completion and upon termination for a finding of no 394
reasonable cause, that states the basis for the investigation, 395
the action taken in furtherance of the investigation, and 396
whether the investigation revealed that there was reasonable 397
cause to believe that a wrongful act or omission had occurred. 398
If a wrongful act or omission was identified during the 399
investigation, the report shall identify the person who 400
committed the wrongful act or omission, describe the wrongful 401
act or omission, explain how it was detected, indicate to whom 402
it was reported, and describe what the agency in which the 403
wrongful act or omission was being committed is doing to change 404
its policies or procedures to prevent recurrences of similar 405
wrongful acts or omissions. For purposes of this division, an 406
investigation is completed when terminated upon a finding of no 407
reasonable cause, and when a finding of reasonable cause is made 408
and the matter is investigated through to the issue of agency 409
actions taken to prevent a recurrence of similar wrongful acts 410
or omissions. 411

(F) Identify other state or local agencies that also are 412
responsible for investigating, auditing, reviewing, or 413

evaluating the management and operation of state or local 414
agencies, and negotiate and enter into agreements with these 415
agencies to share information and avoid duplication of effort; 416

(G) Conduct studies of techniques of investigating and 417
detecting, and of preventing or reducing the risk of, wrongful 418
acts and omissions by county and other political subdivision 419
officers and employees; 420

(H) Consult with county and other political subdivision 421
agencies under the jurisdiction of the county inspector general, 422
by appointment or contract, and advise them in developing, 423
implementing, and enforcing policies and procedures that will 424
prevent or reduce the risk of wrongful acts and omissions by 425
their officers or employees; 426

(I) After detecting a wrongful act or omission, review and 427
evaluate the relevant policies and procedures of the agency in 428
which the wrongful act or omission occurred, and advise the 429
agency as to any changes that should be made in its policies and 430
procedures so as to prevent recurrences of similar wrongful acts 431
or omissions. 432

Sec. 318.03. In performing any investigation, the county 433
inspector general and any deputy county inspector general may 434
administer oaths, examine witnesses under oath, and issue 435
subpoenas and subpoenas duces tecum to compel the attendance of 436
witnesses and the production of all kinds of books, records, 437
papers, and tangible things. Upon the refusal of a witness to be 438
sworn or to answer any question put to the witness, or if a 439
person disobeys a subpoena, the county inspector general shall 440
apply to the court of common pleas for a contempt order, as in 441
the case of disobedience to the requirements of a subpoena 442
issued from the court of common pleas, or a refusal to testify 443

in the court.

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Sec. 318.04. (A) Except as otherwise provided in this
section, the report of any investigation conducted by the county
inspector general or any deputy county inspector general is a
public record, open to public inspection. The county inspector
general, or a deputy county inspector general, with the written
approval of the county inspector general, may designate all or
part of a report as confidential if doing so preserves the
confidentiality of matters made confidential by law or appears
reasonably necessary to protect the safety of a witness or to
avoid disclosure of investigative techniques that, if disclosed,
would enable persons who have been or are committing wrongful
acts or omissions to avoid detection. Confidential material
shall be marked clearly as being confidential.

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(B) The county inspector general shall provide, free of
charge, a copy of each report of an investigation, including
wholly and partially confidential reports, to the governor and
the commission for county inspector general services created
under section 121.54 of the Revised Code. In addition, the
county inspector general shall provide, free of charge, a copy
of the report of any investigation, including wholly and
partially confidential reports, to a prosecuting authority who
may undertake criminal prosecution of a wrongful act or omission
described in the report, an ethics commission to which a
wrongful act or omission described in the report was reported in
accordance with section 102.06 of the Revised Code, and a
licensing agency, appointing authority, or public or private
employer that may take disciplinary action with regard to a
wrongful act or omission described in the report. The county
inspector general shall not provide a copy of any confidential
part of the report of an investigation to a person as required

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by this division if that person allegedly committed the wrongful 475
act or omission described in the report. The governor, the 476
commission for county inspector general services, a prosecuting 477
authority, an ethics commission, licensing agency, appointing 478
authority, or public or private employer that receives a report, 479
all or part of which is designated as confidential, shall take 480
all appropriate measures necessary to preserve the 481
confidentiality of the report. 482

(C) The county inspector general shall provide a copy of 483
any nonconfidential report, or the nonconfidential parts of any 484
report, to any other person who requests the copy and pays a fee 485
prescribed by the county inspector general. The fee shall not 486
exceed the cost of reproducing and delivering the report. 487

Sec. 318.05. Each county or other political subdivision 488
agency in which the county inspector general has jurisdiction, 489
and every such county or other political subdivision officer and 490
employee, shall cooperate with, and provide assistance to, the 491
county inspector general and any deputy county inspector general 492
in the performance of any investigation. In particular, each 493
county or other political subdivision agency shall make its 494
premises, equipment, personnel, books, records, and papers 495
readily available to the county inspector general or a deputy 496
county inspector general. 497

The county inspector general and any deputy county 498
inspector general may enter upon the premises of any county 499
agency at any time, without prior announcement, or of any 500
political subdivision agency that has contracted for the 501
services of the inspector general, if necessary to the 502
successful completion of an investigation. In the course of an 503
investigation, the county inspector general and any deputy 504

county inspector general may question any county or other 505
political subdivision officer or employee serving in, and any 506
other person transacting business with, the county or other 507
political subdivision agency in which the county inspector 508
general has jurisdiction, and may inspect and copy any books, 509
records, or papers in the possession of the county or other 510
political subdivision agency, taking care to preserve the 511
confidentiality of information contained in responses to 512
questions or the books, records, or papers that is made 513
confidential by law. 514

In performing any investigation, the county inspector 515
general and any deputy county inspector general shall avoid 516
interfering with the ongoing operations of the county or other 517
political subdivision agency being investigated, except insofar 518
as is reasonably necessary to the successful completion of the 519
investigation. 520

Each county or other political subdivision agency shall 521
develop, implement, and enforce policies and procedures that 522
prevent or reduce the risk of wrongful acts and omissions by its 523
officers or employees. 524

Other state or local agencies that also are responsible 525
for investigating, auditing, reviewing, or evaluating the 526
management and operation of county or other political 527
subdivision agencies shall negotiate and enter into agreements 528
with the office of the county inspector general for the purpose 529
of sharing information and avoiding duplication of effort. 530

Sec. 318.06. Any person who knows or has reasonable cause 531
to believe that a county or other political subdivision officer 532
or employee has committed, or is in the process of committing, a 533
wrongful act or omission may prepare and file with the county 534

inspector general, a complaint that identifies the person making 535
the report and the county or other political subdivision officer 536
or employee who allegedly committed or is committing the 537
wrongful act or omission, describes the wrongful act or 538
omission, and explains how the person reporting knew or came to 539
have reasonable cause to believe that the county or other 540
political subdivision officer or employee committed or is in the 541
process of committing the wrongful act or omission. The 542
preparation and filing of the complaint described in this 543
section is in addition to any other report of the wrongful act 544
or omission the person is required by law to make. 545

The county inspector general shall prescribe a form for 546
complaints under this section and shall provide a blank copy of 547
the form to any person, free of charge. No complaint is 548
defective, however, because it is not made on the form 549
prescribed by the county inspector general. 550

Sec. 318.07. No person shall disclose to any person who is 551
not legally entitled to disclosure of the information, any 552
information that is designated as confidential under section 553
318.04 of the Revised Code, or any confidential information that 554
is acquired in the course of an investigation under section 555
318.05 of the Revised Code. 556

Sec. 318.08. The office of a county inspector general is 557
created upon the appointment of a county inspector general by 558
the state commission for county inspector general services 559
created under section 121.54 of the Revised Code. 560

The term of the county inspector general shall be for a 561
term of four years from the date of appointment. The person may 562
be approved and reappointed by the commission to subsequent 563
four-year terms unless replaced by the appointment of another 564

county inspector general at the end of the county inspector 565
general's four-year term. The commission may remove the county 566
inspector general from office in term for cause only after 567
delivering written notice to the county inspector general of the 568
reasons for which the commission intends to remove the county 569
inspector general from office and providing the county inspector 570
general with an opportunity to appear and show cause why the 571
inspector general should not be removed. 572

In addition to the duties imposed by this chapter, the 573
county inspector general shall manage the office of the county 574
inspector general. 575

The county inspector general may employ and fix the 576
compensation of one or more deputy county inspectors general. 577
Each deputy inspector general shall serve for a term coinciding 578
with the term of the appointing inspector general, and shall 579
perform the duties, including the performance of investigations, 580
that are assigned by the inspector general. All deputy county 581
inspectors general are in the unclassified service and serve at 582
the pleasure of the county inspector general. 583

In addition to deputy county inspectors general, the 584
county inspector general may employ and fix the compensation of 585
professional, technical, and clerical employees that are 586
necessary for the effective and efficient operation of the 587
office of the county inspector general. All professional, 588
technical, and clerical employees of the office of the county 589
inspector general are in the unclassified service and serve at 590
the pleasure of the appointing county inspector general. 591

The county inspector general may enter into any contracts 592
that are necessary to the operation of the office of the county 593
inspector general. The contracts may include, but are not 594

limited to, contracts for the services of persons who are 595
experts in a particular field and whose expertise is necessary 596
to the successful completion of an investigation. 597

Not later than the first day of March in each year, the 598
county inspector general shall publish an annual report 599
summarizing the activities of the inspector general's office 600
during the previous calendar year. The annual report shall not 601
disclose the results of any investigation insofar as the results 602
are designated as confidential under section 318.04 of the 603
Revised Code. 604

The county inspector general shall provide copies of the 605
annual report to the governor, the general assembly, and the 606
state commission for county inspector general services created 607
under section 121.54 of the Revised Code. The county inspector 608
general also shall provide a copy of the annual report to any 609
other person who requests the copy and pays a fee prescribed by 610
the county inspector general. The fee shall not exceed the cost 611
of reproducing and delivering the annual report. 612

Sec. 318.081. Money the county inspector general receives 613
pursuant to court orders or settlements on behalf of the county 614
to which the inspector general was appointed shall be deposited 615
into the county treasury to the credit of the general fund. 616

Sec. 318.09. (A) Subject to division (B) of this section, 617
only an individual who meets one or more of the following 618
qualifications is eligible to be appointed county inspector 619
general: 620

(1) At least five years experience as a law enforcement 621
officer in this or any other state; 622

(2) Admission to the bar of this or any other state; 623

(3) Certification as a certified public accountant in this 624
or any other state; 625

(4) At least five years service as the comptroller or 626
similar officer of a public or private entity in this or any 627
other state. 628

(B) No individual who has been convicted, in this or any 629
other state, of a felony or of any crime involving fraud, 630
dishonesty, or moral turpitude shall be appointed county 631
inspector general. 632

Sec. 318.10. The county inspector general, in accordance 633
with Chapter 119. of the Revised Code, shall adopt, and may 634
amend and rescind, those rules the county inspector general 635
finds necessary for the successful implementation and efficient 636
operation of sections 318.01 to 318.10 of the Revised Code. 637

Section 2. That existing section 102.06 of the Revised 638
Code is hereby repealed. 639