A BILL

To amend sections 102.06, 121.41, and 121.42 and to enact sections 121.54, 305.20, 318.01, 318.02, 318.03, 318.04, 318.05, 318.06, 318.07, 318.08, 318.081, 318.09, and 318.10 of the Revised Code to authorize counties to request and obtain a county inspector general to investigate wrongful acts or omissions in county and other political subdivision government and to allow counties to contract with the State Inspector General on a limited basis.

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

Section 1. That sections 102.06, 121.41, and 121.42 be amended and sections 121.54, 305.20, 318.01, 318.02, 318.03, 318.04, 318.05, 318.06, 318.07, 318.08, 318.081, 318.09, and 318.10 of the Revised Code be enacted to read as follows:

Sec. 102.06. (A) The appropriate ethics commission shall receive and may initiate complaints against persons subject to this chapter concerning conduct alleged to be in violation of this chapter or section 2921.42 or 2921.43 of the Revised Code.
All complaints except those by the commission shall be by affidavit made on personal knowledge, subject to the penalties of perjury. Complaints by the commission shall be by affidavit, based upon reasonable cause to believe that a violation has occurred.

(B) The appropriate ethics commission shall investigate complaints, may investigate charges presented to it, and may request further information, including the specific amount of income from a source, from any person filing with the commission a statement required by section 102.02 or 102.021 of the Revised Code, if the information sought is directly relevant to a complaint or charges received by the commission pursuant to this section. This information is confidential, except that the commission, in its discretion, may share information gathered in the course of any investigation with, or disclose the information to, the inspector general, a county inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate ethics commission. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, or is a member of the bureau of workers' compensation board of directors, the appropriate ethics commission, in its discretion, also may share information gathered in the course of an investigation with, or disclose the information to, the attorney general and the auditor of state. The person so requested shall furnish the information to the commission, unless within fifteen days from the date of the request the person files an action for declaratory judgment challenging the legitimacy of the request in the court of common pleas of the county of the person's
residence, the person's place of employment, or Franklin county. The requested information need not be furnished to the commission during the pendency of the judicial proceedings. Proceedings of the commission in connection with the declaratory judgment action shall be kept confidential except as otherwise provided by this section. Before the commission proceeds to take any formal action against a person who is the subject of an investigation based on charges presented to the commission, a complaint shall be filed against the person. If the commission finds that a complaint is not frivolous, and there is reasonable cause to believe that the facts alleged in a complaint constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall hold a hearing. If the commission does not so find, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of its finding. The person against whom the complaint is directed shall be given reasonable notice by certified mail of the date, time, and place of the hearing and a statement of the charges and the law directly involved and shall be given the opportunity to be represented by counsel, to have counsel appointed for the person if the person is unable to afford counsel without undue hardship, to examine the evidence against the person, to produce evidence and to call and subpoena witnesses in the person's defense, to confront the person's accusers, and to cross-examine witnesses. The commission shall have a stenographic record made of the hearing. The hearing shall be closed to the public.

(C)(1)(a) If, upon the basis of the hearing, the
appropriate ethics commission finds by a preponderance of the

evidence that the facts alleged in the complaint are true and

constitute a violation of section 102.02, 102.021, 102.03,

102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it
shall report its findings to the appropriate prosecuting

authority for proceedings in prosecution of the violation and to
the appointing or employing authority of the accused. If the
accused person is a member of the public employees retirement
board, state teachers retirement board, school employees
retirement board, board of trustees of the Ohio police and fire
pension fund, or state highway patrol retirement board, the
commission also shall report its findings to the Ohio retirement
study council.

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

(2) If the appropriate ethics commission does not find by
a preponderance of the evidence that the facts alleged in the
complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the
Revised Code or if the commission has not scheduled a hearing within ninety days after the complaint is filed or has not finally disposed of the complaint within six months after it has been heard, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of the finding, but in this case all evidence and the record of the hearing shall remain confidential unless the accused person also requests that the evidence and record be made public. Upon request by the accused person, the commission shall make the evidence and the record available for public inspection.

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

(E) At least once each year, the Ohio ethics commission
shall report on its activities of the immediately preceding year to the majority and minority leaders of the senate and house of representatives of the general assembly. The report shall indicate the total number of complaints received, initiated, and investigated by the commission, the total number of complaints for which formal hearings were held, and the total number of complaints for which formal prosecution was recommended or requested by the commission. The report also shall indicate the nature of the inappropriate conduct alleged in each complaint and the governmental entity with which any employee or official that is the subject of a complaint was employed at the time of the alleged inappropriate conduct.

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

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

(2) Any settlement agreement entered into under division
(G)(1) of this section shall be in writing and be accompanied by a statement of the findings of the commission or prosecuting authority and the reasons for entering into the agreement. The commission or prosecuting authority shall retain the agreement and statement in the commission's or prosecuting authority's office and, in the commission's or prosecuting authority's discretion, may make the agreement, the statement, and any supporting information public, unless the agreement provides otherwise.

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

Sec. 121.41. As used in sections 121.41 to 121.50 of the Revised Code:

(A) "Appropriate ethics commission" has the same meaning as in section 102.01 of the Revised Code.

(B) "Appropriate licensing agency" means a public or private entity that is responsible for licensing, certifying, or registering persons who are engaged in a particular vocation.
(C) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes any officer or employee of the state or any political subdivision of the state.

(D) "State agency" has the same meaning as in section 1.60 of the Revised Code and includes the Ohio casino control commission, but does not include any of the following:

(1) The general assembly;

(2) Any court;

(3) The secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(E) "State employee" means any person who is an employee of a state agency, or any person who does business with the state including, only for the purposes of sections 121.41 to 121.50 of the Revised Code, the nonprofit corporation formed under section 187.01 of the Revised Code.

(F) "State officer" means any person who is elected or appointed to a public office in a state agency.

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

(H) As used in section 121.42 of the Revised Code, "county agency" and "county employee" have the same meanings as defined in section 318.01 of the Revised Code.

Sec. 121.42. The inspector general shall do all of the following:
(A) Investigate the management and operation of state agencies on the inspector general's own initiative in order to determine whether wrongful acts and omissions have been committed or are being committed by state officers or state employees;

(B) Receive complaints under section 121.46 of the Revised Code alleging wrongful acts and omissions, determine whether the information contained in those complaints allege facts that give reasonable cause to investigate, and, if so, investigate to determine if there is reasonable cause to believe that the alleged wrongful act or omission has been committed or is being committed by a state officer or state employee;

(C) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that were or are being committed by state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the state officer's or state employee's appointing authority for possible disciplinary action. The inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(D) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or
omissions that the inspector general becomes aware of in connection with an investigation of a state agency, state officer, or state employee, and that were or are being committed by persons who are not state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the person's public or private employer for possible disciplinary action. The inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(E) Prepare a detailed report of each investigation that states the basis for the investigation, the action taken in furtherance of the investigation, and whether the investigation revealed that there was reasonable cause to believe that a wrongful act or omission had occurred. If a wrongful act or omission was identified during the investigation, the report shall identify the person who committed the wrongful act or omission, describe the wrongful act or omission, explain how it was detected, indicate to whom it was reported, and describe what the state agency in which the wrongful act or omission was being committed is doing to change its policies or procedures to prevent recurrences of similar wrongful acts or omissions.

(F) Identify other state agencies that also are responsible for investigating, auditing, reviewing, or
evaluating the management and operation of state agencies, and negotiate and enter into agreements with these agencies to share information and avoid duplication of effort;

(G) Investigate on behalf of a board of county commissioners, under contract pursuant to section 318.10 of the Revised Code, the management and operation within county agencies to determine whether wrongful acts and omissions have been committed or are being committed by county employees;

(H) Interview and recommend qualified individuals to the state commission for inspector general services when requested by a board of county commissioners under section 305.20 of the Revised Code;

(I) For his own guidance and the guidance of deputy inspectors general, develop and update in the light of experience, both of the following:

(1) Within the scope of the definition in division (G) of section 121.41 of the Revised Code, a working definition of "wrongful act or omission";

(2) A manual of investigative techniques.

(J) Conduct studies of techniques of investigating and detecting, and of preventing or reducing the risk of, wrongful acts and omissions by state officers and state employees;

(K) Consult with state agencies and advise them in developing, implementing, and enforcing policies and procedures that will prevent or reduce the risk of wrongful acts and omissions by their state officers or state employees;

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

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

(B) The commission shall meet as required by section 305.20 of the Revised Code to consider persons referred to it as eligible for the office of county inspector general. If the person is approved, the commission shall appoint the person to the position for a four-year term. The person may be approved and reappointed by the commission to subsequent four-year terms unless replaced by the appointment of another county inspector general at the end of the county inspector general's four-year term. The commission may remove the county inspector general from office in term for cause only after delivering written notice to the county inspector general of the reasons for which the commission intends to remove the county inspector general from office and providing the county inspector general with an opportunity to appear and show cause why the inspector general should not be removed.

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

(D) Members of the commission shall serve so long as they are holding their respective statewide offices.

Sec. 305.20. (A) A board of county commissioners may, by resolution, request the state inspector general to recommend qualified individuals to the state commission for county inspector general services created under section 121.54 of the Revised Code to appoint a person to serve as an inspector general for the county. The inspector general shall interview candidates for the position and recommend the three most qualified individuals to the commission. The qualified individual shall meet the requirements set forth in section 318.09 of the Revised Code. One or more of the eligible candidates may be an employee of the state inspector general at the time of consideration or an individual interviewed by the state inspector general to ascertain the individual's qualifications to serve as an inspector general for the county.

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

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

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

(E) Two or more counties may adopt a resolution expressing their intent to seek a county inspector general to serve those counties jointly. The boards of county commissioners shall obtain the approval and appointment of the commission for county inspector general services as provided in this section and shall determine a reasonable allocation of the costs among them. The boards of county commissioners shall determine in which county's unclassified service the county inspector general, deputy inspector general, and employees will serve.

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

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

Sec. 318.01. As used in sections 318.01 to 318.10 of the Revised Code:

(A) "Appropriate ethics commission" has the same meaning as in section 102.01 of the Revised Code.

(B) "Appropriate licensing agency" means a public or private entity that is responsible for licensing, certifying, or registering persons who are engaged in a particular vocation.

(C) "County agency" means all of the following:

(1) The board of county commissioners;

(2) Any office, department, authority, commission, or board of the county that is appointed or employed by the board of county commissioners;
(3) A nonprofit corporation that is recognized by the board of county commissioners as a convention and visitors' bureau that receives funds from the county general fund or from a lodging excise tax levied under Chapter 5739. of the Revised Code;

(4) Any corporation created under Chapter 1724. of the Revised Code that operates within the county;

(5) A private institution, association, board, or corporation that receives public money from the board of county commissioners or from any office, department, authority, commission, or board of the county that is appointed or employed by the board of county commissioners.

(D) "County or other political subdivision employee" means any person who is an employee of a county or other political subdivision agency, as applicable given the county inspector general's jurisdiction, or any person who does business with a county or political subdivision agency, as applicable given the county inspector general's jurisdiction. "County or other political subdivision officer" does not include an elected official.

(E) "Political subdivision" means a body corporate and politic that is responsible for governmental activities only in a geographical area smaller than the state.

(F) "Political subdivision agency" means all of the following:

(1) In the case of a county, the board of county commissioners; in the case of a township, the board of township trustees; in the case of a municipal corporation, the legislative authority; or, in the case of any other political
subdivision, the legislative authority;

(2) Any office, department, authority, commission, or board of the county, township, municipal corporation, or other political subdivision that is appointed or employed by the board of county commissioners, board of township trustees, legislative authority of the municipal corporation, or legislative authority of the political subdivision, as applicable given the county inspector general's jurisdiction;

(3) A nonprofit corporation that is recognized by the board of county commissioners, board of township trustees, legislative authority of the municipal corporation, or legislative authority of any other political subdivision, as applicable given the county inspector general's jurisdiction, as a convention and visitors' bureau that receives funds from the county general fund, township general fund, or general fund of the municipal corporation or other political subdivision, or from a lodging excise tax levied under Chapter 5739. of the Revised Code.

(4) Any corporation created under Chapter 1724. of the Revised Code that operates within the county, township, municipal corporation, or other political subdivision, as applicable given the county inspector general's jurisdiction;

(5) A private institution, association, board, or corporation that receives public money from the board of county commissioners, board of township trustees, legislative authority of a municipal corporation, or legislative authority of any other political subdivision, as applicable given the county inspector general's jurisdiction, or from any office, department, authority, commission, or board of the county, township, municipal corporation, or other political subdivision
that is appointed or employed by the board of county
commissioners, board of township trustees, legislative authority
of the municipal corporation or legislative authority of the
political subdivision, as applicable given the county inspector
general's jurisdiction.

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

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

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

(B) Receive complaints under section 318.06 of the Revised
Code alleging wrongful acts and omissions, determine whether the
information contained in those complaints allege facts that give
reasonable cause to investigate, and, if so, investigate to
determine if there is reasonable cause to believe that the
alleged wrongful act or omission has been committed or is being
committed by a county employee, or by a political subdivision employee if that political subdivision has contracted with the county inspector general for services;

(C) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that were or are being committed by county employees, or by employees of other political subdivisions that have contracted with the county inspector general, to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the county inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the employee’s appointing authority for possible disciplinary action. The county inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(D) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that the county inspector general becomes aware of in connection with an investigation of a county or other political subdivision employee, and that were or are being committed by persons who are not county or other political subdivision employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the county inspector general shall report the wrongful acts or omissions, as
appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the person's public or private employer for possible disciplinary action. The county inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(E) Prepare a detailed report of each investigation, upon its completion and upon termination for a finding of no reasonable cause, that states the basis for the investigation, the action taken in furtherance of the investigation, and whether the investigation revealed that there was reasonable cause to believe that a wrongful act or omission had occurred. If a wrongful act or omission was identified during the investigation, the report shall identify the person who committed the wrongful act or omission, describe the wrongful act or omission, explain how it was detected, indicate to whom it was reported, and describe what the agency in which the wrongful act or omission was being committed is doing to change its policies or procedures to reduce recurrences of similar wrongful acts or omissions. For purposes of this division, an investigation is completed when terminated upon a finding of no reasonable cause, and when a finding of reasonable cause is made and the matter is investigated through to the issue of agency actions taken to reduce recurrences of similar wrongful acts or omissions.

(F) Identify other state or local agencies that also are responsible for investigating, auditing, reviewing, or evaluating the management and operation of state or local agencies, and negotiate and enter into agreements with these.
agencies to share information and avoid duplication of effort;

(G) Conduct studies of techniques of investigating and
detecting, and of reducing the risk of, wrongful acts and
omissions by county and other political subdivision employees;

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

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

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

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.

(B) The county inspector general shall provide, free of charge, an electronic copy of each report of an investigation, including wholly and partially confidential reports, to the governor, the state commission for county inspector general services created under section 121.54 of the Revised Code, the state inspector general, and the board of county commissioners of the county to which the inspector general was appointed. 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 by this division if that person allegedly committed
the wrongful act or omission described in the report. The
governor, the commission for county inspector general services,
a prosecuting authority, an ethics commission, licensing agency,
appointing authority, or public or private employer that
receives a report, all or part of which is designated as
confidential, shall take all appropriate measures necessary to
preserve the confidentiality of the report.

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

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

The county inspector general and any deputy county
inspector general may enter upon the premises of any county
agency at any time, without prior announcement, or of any
political subdivision agency that has contracted for the
services of the inspector general, if necessary to the
successful completion of an investigation. In the course of an
investigation, the county inspector general and any deputy
county inspector general may question any county or other political subdivision employee serving in, and any other person transacting business with, the county or other political subdivision agency in which the county inspector general has jurisdiction, and may inspect and copy any books, records, or papers in the possession of the county or other political subdivision agency, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that is made confidential by law.

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

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

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

Sec. 318.06. Any person who knows or has reasonable cause to believe that a county or other political subdivision employee has committed, or is in the process of committing, a wrongful act or omission may prepare and file with the county inspector general, a complaint that identifies the person making the report and the county or other political subdivision employee.
who allegedly committed or is committing the wrongful act or omission, describes the wrongful act or omission, and explains how the person reporting knew or came to have reasonable cause to believe that the county or other political subdivision employee committed or is in the process of committing the wrongful act or omission. The preparation and filing of the complaint described in this section is in addition to any other report of the wrongful act or omission the person is required by law to make.

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

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

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

The term of the county inspector general shall be for a term of four years from the date of appointment. The person may be approved and reappointed by the commission to subsequent four-year terms unless replaced by the appointment of another county inspector general at the end of the county inspector general's four-year term. The county inspector general is in the
The county inspector general was appointed. The commission may remove the county inspector general from office in term for cause only after delivering written notice to the county inspector general of the reasons for which the commission intends to remove the county inspector general from office and providing the county inspector general with an opportunity to appear and show cause why the inspector general should not be removed.

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

The county inspector general may employ and fix the compensation of one or more deputy county inspectors general. Each deputy inspector general shall serve for a term coinciding with the term of the appointing inspector general, and shall perform the duties, including the performance of investigations, that are assigned by the county inspector general. All deputy county inspectors general are in the unclassified service of the county to which the county inspector general is appointed and serve at the pleasure of the county inspector general.

In addition to deputy county inspectors general, the county inspector general may employ and fix the compensation of professional, technical, and clerical employees that are necessary for the effective and efficient operation of the office of the county inspector general. All professional, technical, and clerical employees of the office of the county inspector general are in the unclassified service of the county to which the county inspector general is appointed and serve at the pleasure of the county inspector general.

The county inspector general may enter into any contracts...
that are necessary to the operation of the office of the county inspector general. The contracts may include, but are not limited to, contracts for the services of persons who are experts in a particular field and whose expertise is necessary to the successful completion of an investigation.

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

The county inspector general shall provide electronic copies of the annual report to the governor, the general assembly, the state commission for county inspector general services created under section 121.54 of the Revised Code, the state inspector general, and the board of county commissioners of the county to which the inspector general was appointed. The county inspector general also shall provide a copy of the annual report to any other person who requests the copy and pays a fee prescribed by the county inspector general. The fee shall not exceed the cost of reproducing and delivering the annual report.

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

Sec. 318.09. (A) Subject to division (B) of this section, only an individual who meets one or more of the following qualifications is eligible to be appointed county inspector general:
(1) At least five years' experience as a law enforcement officer in this or any other state;

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

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

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

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

Sec. 318.10. (A) For a county without an appointed county inspector general or without the services of one by contract under section 305.20 of the Revised Code, the board of county commissioners may contract with the state inspector general for inspector general services for a specific short-term or one-time investigation. The board shall adopt a resolution, by majority vote, specifying the basis for a contract with the state inspector general.

(B) The board of county commissioners shall fulfill its obligation under the contract to reimburse the inspector general the agreed upon amount regardless of the results of the investigation, unless the contract provides for a lesser amount if the inspector general finds there is no reasonable cause to investigate.

(C) During the course of the investigation, the fact of an investigation and any documents generated from the investigation shall be considered confidential and shall not be considered
public record. A finding of no reasonable cause to investigate and the fact of an investigation shall remain confidential and shall not be disclosed at any time except to the board of county commissioners. Upon the completion of an investigation where reasonable cause to investigate exists, the inspector general shall provide the board of county commissioners a report that is a public record except to the extent the inspector general designated all or part of a report confidential to preserve the confidentiality of matters made confidential by law or, when 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.

(D) During the investigation, the inspector general shall exercise such authority as is necessary and specified under sections 318.01 to 318.09 of the Revised Code for a county inspector general.

Section 2. That existing sections 102.06, 121.41, and 121.42 of the Revised Code are hereby repealed.