

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 125

Representatives Brenner, Retherford

**Cosponsors: Representatives Amstutz, Bishoff, Blessing, Butler, Dever,
Grossman, Johnson, T., Kraus, Romanchuk, Ruhl, Smith, R., Terhar**

A BILL

To amend sections 111.16, 111.17, 1703.31, 1729.12, 1
1746.06, 1782.63, 2305.10, and 4743.04 and to 2
enact sections 5903.21, 5903.22, 5903.23, 3
5903.24, and 5903.25 of the Revised Code to 4
establish the Veterans Fee Waiver Program. 5

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

Section 1. That sections 111.16, 111.17, 1703.31, 1729.12, 6
1746.06, 1782.63, 2305.10, and 4743.04 be amended and sections 7
5903.21, 5903.22, 5903.23, 5903.24, and 5903.25 of the Revised 8
Code be enacted to read as follows: 9

Sec. 111.16. The secretary of state shall charge and 10
collect, for the benefit of the state, the following fees: 11

(A) For filing and recording articles of incorporation of 12
a domestic corporation, including designation of agent: 13

(1) Wherein the corporation shall not be authorized to 14
issue any shares of capital stock, one hundred twenty-five 15
dollars; 16

(2) Wherein the corporation shall be authorized to issue 17

shares of capital stock, with or without par value:	18
(a) Ten cents for each share authorized up to and including one thousand shares;	19 20
(b) Five cents for each share authorized in excess of one thousand shares up to and including ten thousand shares;	21 22
(c) Two cents for each share authorized in excess of ten thousand shares up to and including fifty thousand shares;	23 24
(d) One cent for each share authorized in excess of fifty thousand shares up to and including one hundred thousand shares;	25 26
(e) One-half cent for each share authorized in excess of one hundred thousand shares up to and including five hundred thousand shares;	27 28 29
(f) One-quarter cent for each share authorized in excess of five hundred thousand shares; provided no fee shall be less than one hundred twenty-five dollars or greater than one hundred thousand dollars.	30 31 32 33
(B) For filing and recording a certificate of amendment to or amended articles of incorporation of a domestic corporation, or for filing and recording a certificate of reorganization, a certificate of dissolution, or an amendment to a foreign license application:	34 35 36 37 38
(1) If the domestic corporation is not authorized to issue any shares of capital stock, fifty dollars;	39 40
(2) If the domestic corporation is authorized to issue shares of capital stock, fifty dollars, and in case of any increase in the number of shares authorized to be issued, a further sum computed in accordance with the schedule set forth in division (A) (2) of this section less a credit computed in the	41 42 43 44 45

same manner for the number of shares previously authorized to be 46
issued by the corporation; provided no fee under division (B) (2) 47
of this section shall be greater than one hundred thousand 48
dollars; 49

(3) If the foreign corporation is not authorized to issue 50
any shares of capital stock, fifty dollars; 51

(4) If the foreign corporation is authorized to issue 52
shares of capital stock, fifty dollars. 53

(C) For filing and recording articles of incorporation of 54
a savings and loan association, one hundred twenty-five dollars; 55
and for filing and recording a certificate of amendment to or 56
amended articles of incorporation of a savings and loan 57
association, fifty dollars; 58

(D) For filing and recording a certificate of conversion, 59
including a designation of agent, a certificate of merger, or a 60
certificate of consolidation, one hundred twenty-five dollars 61
and, in the case of any new corporation resulting from a 62
consolidation or any surviving corporation that has an increased 63
number of shares authorized to be issued resulting from a 64
merger, an additional sum computed in accordance with the 65
schedule set forth in division (A) (2) of this section less a 66
credit computed in the same manner for the number of shares 67
previously authorized to be issued or represented in this state 68
by each of the corporations for which a consolidation or merger 69
is effected by the certificate; 70

(E) For filing and recording articles of incorporation of 71
a credit union or the American credit union guaranty 72
association, one hundred twenty-five dollars, and for filing and 73
recording a certificate of increase in capital stock or any 74

other amendment of the articles of incorporation of a credit union or the association, fifty dollars;	75 76
(F) For filing and recording articles of organization of a limited liability company, for filing and recording an application to become a registered foreign limited liability company, for filing and recording a registration application to become a domestic limited liability partnership, or for filing and recording an application to become a registered foreign limited liability partnership, one hundred twenty-five dollars;	77 78 79 80 81 82 83
(G) For filing and recording a certificate of limited partnership or an application for registration as a foreign limited partnership, or for filing an initial statement of partnership authority pursuant to section 1776.33 of the Revised Code, one hundred twenty-five dollars- i	84 85 86 87 88
(H) For filing a copy of papers evidencing the incorporation of a municipal corporation or of annexation of territory by a municipal corporation, five dollars, to be paid by the municipal corporation, the petitioners therefor, or their agent;	89 90 91 92 93
(I) For filing and recording any of the following:	94
(1) A license to transact business in this state by a foreign corporation for profit pursuant to section 1703.04 of the Revised Code or a foreign nonprofit corporation pursuant to section 1703.27 of the Revised Code, one hundred twenty-five dollars;	95 96 97 98 99
(2) A biennial report or biennial statement pursuant to section 1775.63, 1776.83, or 1785.06 of the Revised Code, twenty-five dollars;	100 101 102
(3) Except as otherwise provided in this section or any	103

other section of the Revised Code, any other certificate or 104
paper that is required to be filed and recorded or is permitted 105
to be filed and recorded by any provision of the Revised Code 106
with the secretary of state, twenty-five dollars. 107

(J) For filing any certificate or paper not required to be 108
recorded, five dollars; 109

(K) (1) For making copies of any certificate or other paper 110
filed in the office of the secretary of state, a fee not to 111
exceed one dollar per page, except as otherwise provided in the 112
Revised Code, and for creating and affixing the seal of the 113
office of the secretary of state to any good standing or other 114
certificate, five dollars. For copies of certificates or papers 115
required by state officers for official purpose, no charge shall 116
be made. 117

(2) For creating and affixing the seal of the office of 118
the secretary of state to the certificates described in division 119
(E) of section 1701.81, division (E) of section 1701.811, 120
division (E) of section 1705.38, division (E) of section 121
1705.381, division (D) of section 1702.43, division (E) of 122
section 1775.47, division (E) of section 1775.55, division (E) 123
of section 1776.70, division (E) of section 1776.74, division 124
(E) of section 1782.433, or division (E) of section 1782.4310 of 125
the Revised Code, twenty-five dollars. 126

(L) For a minister's license to solemnize marriages, ten 127
dollars; 128

(M) For examining documents to be filed at a later date 129
for the purpose of advising as to the acceptability of the 130
proposed filing, fifty dollars; 131

(N) Fifty dollars for filing and recording any of the 132

following:	133
(1) A certificate of dissolution and accompanying documents, or a certificate of cancellation, under section 1701.86, 1702.47, 1705.43, 1776.65, or 1782.10 of the Revised Code;	134 135 136 137
(2) A notice of dissolution of a foreign licensed corporation or a certificate of surrender of license by a foreign licensed corporation under section 1703.17 of the Revised Code;	138 139 140 141
(3) The withdrawal of registration of a foreign or domestic limited liability partnership under section 1775.61, 1775.64, 1776.81, or 1776.86 of the Revised Code, or the certificate of cancellation of registration of a foreign limited liability company under section 1705.57 of the Revised Code;	142 143 144 145 146
(4) The filing of a statement of denial under section 1776.34 of the Revised Code, a statement of dissociation under section 1776.57 of the Revised Code, a statement of disclaimer of general partner status under Chapter 1782. of the Revised Code, or a cancellation of disclaimer of general partner status under Chapter 1782. of the Revised Code.	147 148 149 150 151 152
(O) For filing a statement of continued existence by a nonprofit corporation, twenty-five dollars;	153 154
(P) For filing a restatement under section 1705.08 or 1782.09 of the Revised Code, an amendment to a certificate of cancellation under section 1782.10 of the Revised Code, an amendment under section 1705.08 or 1782.09 of the Revised Code, or a correction under section 1705.55, 1775.61, 1775.64, 1776.12, or 1782.52 of the Revised Code, fifty dollars;	155 156 157 158 159 160
(Q) For filing for reinstatement of an entity cancelled by	161

operation of law, by the secretary of state, by order of the 162
department of taxation, or by order of a court, twenty-five 163
dollars; 164

(R) For filing and recording any of the following: 165

(1) A change of agent, resignation of agent, or change of 166
agent's address under section 1701.07, 1702.06, 1703.041, 167
1703.27, 1705.06, 1705.55, 1746.04, 1747.03, 1776.07, or 1782.04 168
of the Revised Code, twenty-five dollars; 169

(2) A multiple change of agent name or address, 170
standardization of agent address, or resignation of agent under 171
section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 172
1746.04, 1747.03, 1776.07, or 1782.04 of the Revised Code, one 173
hundred twenty-five dollars, plus three dollars per entity 174
record being changed, by the multiple agent update. 175

(S) For filing and recording any of the following: 176

(1) An application for the exclusive right to use a name 177
or an application to reserve a name for future use under section 178
1701.05, 1702.05, 1703.31, 1705.05, or 1746.06 of the Revised 179
Code, fifty dollars; 180

(2) A trade name or fictitious name registration or 181
report, fifty dollars; 182

(3) An application to renew any item covered by division 183
(S) (1) or (2) of this section that is permitted to be renewed, 184
twenty-five dollars; 185

(4) An assignment of rights for use of a name covered by 186
division (S) (1), (2), or (3) of this section, the cancellation 187
of a name registration or name reservation that is so covered, 188
or notice of a change of address of the registrant of a name 189

that is so covered, twenty-five dollars. 190

(T) For filing and recording a report to operate a 191
business trust or a real estate investment trust, either foreign 192
or domestic, one hundred twenty-five dollars; and for filing and 193
recording an amendment to a report or associated trust 194
instrument, or a surrender of authority, to operate a business 195
trust or real estate investment trust, fifty dollars; 196

(U) (1) For filing and recording the registration of a 197
trademark, service mark, or mark of ownership, one hundred 198
twenty-five dollars; 199

(2) For filing and recording the change of address of a 200
registrant, the assignment of rights to a registration, a 201
renewal of a registration, or the cancellation of a registration 202
associated with a trademark, service mark, or mark of ownership, 203
twenty-five dollars. 204

(V) For filing a service of process with the secretary of 205
state, five dollars, except as otherwise provided in any section 206
of the Revised Code. 207

Fees specified in this section may be paid by cash, check, 208
or money order, by credit card in accordance with section 113.40 209
of the Revised Code, or by an alternative payment program in 210
accordance with division (B) of section 111.18 of the Revised 211
Code. Any credit card number or the expiration date of any 212
credit card is not subject to disclosure under Chapter 149. of 213
the Revised Code. 214

The fees specified in divisions (A), (F), (G), and (S) of 215
this section are subject to sections 5903.21 to 5903.25 of the 216
Revised Code relating to the veterans fee waiver program. 217

Sec. 111.17. The secretary of state shall not file or 218

record articles of incorporation or consolidation, certificates, 219
or other papers referred to in section 111.16 of the Revised 220
Code unless the fee has been paid or the fee is waived under the 221
veterans fee waiver program under sections 5903.21 to 5903.25 of 222
the Revised Code. 223

Sec. 1703.31. (A) Any foreign corporation may register its 224
corporate name, if its corporate name is available for use under 225
division (D) of section 1703.04 of the Revised Code, by filing 226
in the office of the secretary of state an application, on a 227
form prescribed by the secretary of state, that contains the 228
following information: 229

- (1) The exact corporate name to be registered; 230
- (2) The complete address of the principal office of the 231
corporation; 232
- (3) The jurisdiction of its incorporation; 233
- (4) The date of its incorporation; 234
- (5) A statement that it is carrying on or doing business; 235
- (6) The general nature of the business in which it is 236
engaged; 237
- (7) Any other information required by the secretary of 238
state. 239

The application shall be signed and verified by an officer 240
of the applicant. 241

The application shall be accompanied by a certificate 242
stating that the corporation is in good standing under the laws 243
of the jurisdiction of its incorporation, which certificate 244
shall be executed by the official of the jurisdiction having 245

custody of the records pertaining to corporations and dated not 246
earlier than sixty days prior to the filing of the application. 247

The filing fee specified in division (S)(1) of section 248
111.16 of the Revised Code shall accompany the application 249
unless the fee is waived under the veterans fee waiver program 250
under sections 5903.21 to 5903.25 of the Revised Code. 251

(B) Registration of a corporate name under this section is 252
effective for a term of one year from the date of registration. 253
Upon application, on a form prescribed by the secretary of 254
state, filed with the secretary of state prior to the expiration 255
of each one-year term, the registration may be renewed for an 256
additional term. The renewal application shall set forth the 257
facts required to be set forth in the original application for 258
registration, together with a certificate of good standing as 259
required for the initial registration. 260

The secretary of state shall notify registrants within the 261
three months before the expiration of one year from the date of 262
registration of the necessity of renewal by writing to the 263
principal office address of the registrants as shown upon the 264
current registration in effect. 265

The renewal fee specified in division (S)(3) of section 266
111.16 of the Revised Code, payable to the secretary of state, 267
shall accompany the application for renewal of the registration. 268

Sec. 1729.12. (A) For filing articles of incorporation or 269
a certificate of amendment of articles or a certificate of 270
merger, consolidation, division, or dissolution, and with 271
respect to the issuance of shares of stock, an association 272
organized under this chapter shall pay to the secretary of state 273
the fees imposed by section 111.16 of the Revised Code unless a 274

fee is waived under the veterans fee waiver program under 275
sections 5903.21 to 5903.25 of the Revised Code. In the case of 276
a certificate of division, the filing fee shall be the same as 277
for a certificate of merger or consolidation. 278

(B) When the articles of incorporation, or a certificate 279
of amendment of articles, or a certificate of merger, 280
consolidation, conversion, division, or dissolution is filed 281
with the secretary of state, the secretary of state shall, if 282
the articles or certificate complies with this chapter, endorse 283
approval thereon, the date of filing, a file number, and make a 284
legible copy thereof by any authorized method. The original or a 285
copy of the articles or certificate, certified by the secretary 286
of state, shall be returned to the person filing the articles or 287
certificate. 288

(C) All persons shall have the opportunity to acquire a 289
copy of the articles and other certificates filed and recorded 290
in the office of the secretary of state, but no person dealing 291
with the association shall be charged with constructive notice 292
of the contents of any such articles or certificates by reason 293
of the filing or recording. 294

Sec. 1746.06. (A) No business trust that has made a filing 295
pursuant to section 1746.04 of the Revised Code may use the 296
words "Incorporated," "Corporation," "Inc.," "Co.," 297
"Partnership," "Ltd.," or derivatives thereof in its name. 298

(B) No business trust formed after the effective date of 299
this chapter that has made a filing pursuant to section 1746.04 300
of the Revised Code shall assume the name of any corporation 301
established under the laws of this state, or of a corporation, 302
firm, or association, or trust whether or not as defined in 303
section 1746.01 of the Revised Code, or of an individual, 304

carrying on business in this state at the time when the business 305
trust is created, or assume a name so similar thereto as to be 306
likely to be mistaken for it, except with the written consent of 307
such existing corporation, firm, association, or trust, or of 308
such individual, previously or concurrently filed with the 309
secretary of state. 310

(C) The secretary of state shall refuse to receive for 311
filing the trust instrument of a business trust if it appears to 312
the secretary of state to have violated any provision of this 313
section. The courts of common pleas of this state shall have 314
jurisdiction, upon the application of any person interested or 315
affected, to enjoin a business trust from transacting business 316
under any name in violation of any provision of this section, 317
notwithstanding that the trust instrument of such business trust 318
has been received for filing under section 1746.04 of the 319
Revised Code. 320

(D) Any person who wishes to reserve a name for a proposed 321
new business trust, or any business trust intending to change 322
its name, may submit to the secretary of state a written 323
application for the exclusive right to use a specified name as 324
the name of a business trust. If the secretary of state finds 325
that, under this section, the specified name is available for 326
such use, the secretary of state shall indorse the secretary of 327
state's approval upon and file such application and, from the 328
date of such indorsement, such applicant shall have the 329
exclusive right for one hundred eighty days to use the specified 330
name as the name of a business trust, counting the date of such 331
indorsement as the first of the one hundred eighty days. The 332
right so obtained may be transferred by the applicant or other 333
holder thereof by the filing in the office of the secretary of 334
state of a written transfer stating the name and address of the 335

transferee. For filing any application for the exclusive right 336
to use a specified name under this division, the secretary of 337
state shall charge and collect the fee specified in division (S) 338
(1) of section 111.16 of the Revised Code unless the fee is 339
waived under the veterans fee waiver program under sections 340
5903.21 to 5903.25 of the Revised Code. For each filing of a 341
transfer of the right to an exclusive name under this division, 342
the secretary of state shall charge and collect the fee 343
specified in division (S) (4) of section 111.16 of the Revised 344
Code. 345

(E) Any business trust that has not made the filings 346
described under section 1746.04 of the Revised Code may submit 347
to the secretary of state a written application for the 348
exclusive right to use a specified name as the name of such 349
business trust. If the secretary of state finds that, under this 350
section, the specified name is available for such use, the 351
secretary of state shall indorse the secretary of state's 352
approval upon and file such application and, from the date of 353
such indorsement, such applicant has the exclusive right to use 354
the specified name for the period that it transacts business. 355
The right so obtained may be transferred by the applicant or 356
other holder thereof by the filing in the office of the 357
secretary of state of a written transfer stating the name and 358
address of the transferee. For filing an application for the 359
exclusive right to use a specified name under this division, the 360
secretary of state shall charge and collect the fee specified in 361
division (S) (1) of section 111.16 of the Revised Code unless the 362
fee is waived under the veterans fee waiver program under 363
sections 5903.21 to 5903.25 of the Revised Code. 364

Sec. 1782.63. (A) (1) Each limited partnership existing 365
prior to July 1, 1994, and each foreign limited partnership 366

registered pursuant to sections 1782.49 and 1782.50 of the Revised Code prior to that date shall file, on a form prescribed by the secretary of state, a certificate of limited partnership and an application for registration as a foreign limited partnership, respectively, with the secretary of state as follows:

(a) Each limited partnership with a name beginning with the letter A, B, C, D, E, or F shall so file with the secretary of state on or before June 30, 1995;

(b) Each limited partnership with a name beginning with the letter G, H, I, J, K, L, or M shall so file with the secretary of state on or before December 31, 1995;

(c) Each limited partnership with a name beginning with the letter N, O, P, Q, R, or S shall so file with the secretary of state on or before June 30, 1996;

(d) Each limited partnership with a name beginning with the letter T, U, V, W, X, Y, or Z shall so file with the secretary of state on or before December 31, 1996;

(e) If a limited partnership's name begins with a character other than a letter of the English alphabet, the first letter of the English alphabet that appears in the limited partnership's name shall be considered the beginning of its name for purposes of divisions (A) (1) (a) to (d) of this section and the limited partnership shall so file with the secretary of state in accordance with the applicable provision of divisions (A) (1) (a) to (d) of this section.

(2) Any limited partnership that files a certificate of limited partnership or an application for registration as a foreign limited partnership is subject to the payment of filing

fees in accordance with division (G) of section 111.16 of the Revised Code unless the fee is waived under the veterans fee waiver program under sections 5903.21 to 5903.25 of the Revised Code.

(3) A limited partnership that is required by divisions (A) (1) (a) to (e) of this section to file any document with the secretary of state and that has not done so by the time required for the filing may not maintain any action, suit, or proceeding in any court of this state until it has filed the required document. The failure of a limited partnership to make the required filing does not impair the validity of any contract or act of the limited partnership or prevent it from defending any action, suit, or proceeding in any court of this state. A limited partner of a limited partnership is not liable as a general partner of the limited partnership or otherwise liable for obligations of the partnership solely by reason of the partnership having transacted business in this state without making the filing required by divisions (A) (1) (a) to (e) of this section.

(B) If a surviving domestic limited partnership that has not filed a certificate of limited partnership pursuant to division (A) of this section results from a merger on and after July 1, 1994, the partnership shall include a copy of its certificate of limited partnership with its certificate of merger or consolidation filed pursuant to section 1782.433 of the Revised Code. Upon filing of the certificate of limited partnership in accordance with this division, the surviving domestic limited partnership shall be deemed to be in compliance with division (A) of this section.

(C) A limited partnership that is formed under this

chapter or governed by this chapter pursuant to section 1782.61 426
of the Revised Code and that is in existence on July 1, 1994, 427
shall be governed by this chapter, as amended by the act in 428
which this section was enacted, except that the amendments to 429
section 1782.28 of the Revised Code made by that act and the 430
repeal of section 1782.38 of the Revised Code by that act shall 431
not affect the rights of any person who extended credit to a 432
limited partnership prior to July 1, 1994, but only to the 433
extent of credit extended before such date. 434

(D) The amendments to this chapter made by the act in 435
which this section was enacted do not affect a claim, action, or 436
proceeding that is accrued, existing, incurred, or pending on or 437
before July 1, 1994, but the claim, action, or proceeding may be 438
asserted, enforced, prosecuted, or defended as if those 439
amendments had not been made. 440

Sec. 2305.10. (A) Except as provided in division (C) or 441
(E) of this section, an action based on a product liability 442
claim and an action for bodily injury or injuring personal 443
property shall be brought within two years after the cause of 444
action accrues. Except as provided in divisions (B)(1), (2), 445
(3), (4), and (5) of this section, a cause of action accrues 446
under this division when the injury or loss to person or 447
property occurs. 448

(B)(1) For purposes of division (A) of this section, a 449
cause of action for bodily injury that is not described in 450
division (B)(2), (3), (4), or (5) of this section and that is 451
caused by exposure to hazardous or toxic chemicals, ethical 452
drugs, or ethical medical devices accrues upon the date on which 453
the plaintiff is informed by competent medical authority that 454
the plaintiff has an injury that is related to the exposure, or 455

upon the date on which by the exercise of reasonable diligence 456
the plaintiff should have known that the plaintiff has an injury 457
that is related to the exposure, whichever date occurs first. 458

(2) For purposes of division (A) of this section, a cause 459
of action for bodily injury caused by exposure to chromium in 460
any of its chemical forms accrues upon the date on which the 461
plaintiff is informed by competent medical authority that the 462
plaintiff has an injury that is related to the exposure, or upon 463
the date on which by the exercise of reasonable diligence the 464
plaintiff should have known that the plaintiff has an injury 465
that is related to the exposure, whichever date occurs first. 466

(3) For purposes of division (A) of this section, a cause 467
of action for bodily injury incurred by a veteran through 468
exposure to chemical defoliants or herbicides or other causative 469
agents, including agent orange, accrues upon the date on which 470
the plaintiff is informed by competent medical authority that 471
the plaintiff has an injury that is related to the exposure, or 472
upon the date on which by the exercise of reasonable diligence 473
the plaintiff should have known that the plaintiff has an injury 474
that is related to the exposure, whichever date occurs first. 475

(4) For purposes of division (A) of this section, a cause 476
of action for bodily injury caused by exposure to 477
diethylstilbestrol or other nonsteroidal synthetic estrogens, 478
including exposure before birth, accrues upon the date on which 479
the plaintiff is informed by competent medical authority that 480
the plaintiff has an injury that is related to the exposure, or 481
upon the date on which by the exercise of reasonable diligence 482
the plaintiff should have known that the plaintiff has an injury 483
that is related to the exposure, whichever date occurs first. 484

(5) For purposes of division (A) of this section, a cause 485

of action for bodily injury caused by exposure to asbestos 486
accrues upon the date on which the plaintiff is informed by 487
competent medical authority that the plaintiff has an injury 488
that is related to the exposure, or upon the date on which by 489
the exercise of reasonable diligence the plaintiff should have 490
known that the plaintiff has an injury that is related to the 491
exposure, whichever date occurs first. 492

(C) (1) Except as otherwise provided in divisions (C) (2), 493
(3), (4), (5), (6), and (7) of this section or in section 494
2305.19 of the Revised Code, no cause of action based on a 495
product liability claim shall accrue against the manufacturer or 496
supplier of a product later than ten years from the date that 497
the product was delivered to its first purchaser or first lessee 498
who was not engaged in a business in which the product was used 499
as a component in the production, construction, creation, 500
assembly, or rebuilding of another product. 501

(2) Division (C) (1) of this section does not apply if the 502
manufacturer or supplier of a product engaged in fraud in regard 503
to information about the product and the fraud contributed to 504
the harm that is alleged in a product liability claim involving 505
that product. 506

(3) Division (C) (1) of this section does not bar an action 507
based on a product liability claim against a manufacturer or 508
supplier of a product who made an express, written warranty as 509
to the safety of the product that was for a period longer than 510
ten years and that, at the time of the accrual of the cause of 511
action, has not expired in accordance with the terms of that 512
warranty. 513

(4) If the cause of action relative to a product liability 514
claim accrues during the ten-year period described in division 515

(C) (1) of this section but less than two years prior to the 516
expiration of that period, an action based on the product 517
liability claim may be commenced within two years after the 518
cause of action accrues. 519

(5) If a cause of action relative to a product liability 520
claim accrues during the ten-year period described in division 521
(C) (1) of this section and the claimant cannot commence an 522
action during that period due to a disability described in 523
section 2305.16 of the Revised Code, an action based on the 524
product liability claim may be commenced within two years after 525
the disability is removed. 526

(6) Division (C) (1) of this section does not bar an action 527
for bodily injury caused by exposure to asbestos if the cause of 528
action that is the basis of the action accrues upon the date on 529
which the plaintiff is informed by competent medical authority 530
that the plaintiff has an injury that is related to the 531
exposure, or upon the date on which by the exercise of 532
reasonable diligence the plaintiff should have known that the 533
plaintiff has an injury that is related to the exposure, 534
whichever date occurs first. 535

(7) (a) Division (C) (1) of this section does not bar an 536
action based on a product liability claim against a manufacturer 537
or supplier of a product if all of the following apply: 538

(i) The action is for bodily injury. 539

(ii) The product involved is a substance or device 540
described in division (B) (1), (2), (3), or (4) of this section. 541

(iii) The bodily injury results from exposure to the 542
product during the ten-year period described in division (C) (1) 543
of this section. 544

(b) If division (C) (7) (a) of this section applies 545
regarding an action, the cause of action accrues upon the date 546
on which the claimant is informed by competent medical authority 547
that the bodily injury was related to the exposure to the 548
product, or upon the date on which by the exercise of reasonable 549
diligence the claimant should have known that the bodily injury 550
was related to the exposure to the product, whichever date 551
occurs first. The action based on the product liability claim 552
shall be commenced within two years after the cause of action 553
accrues and shall not be commenced more than two years after the 554
cause of action accrues. 555

(D) This section does not create a new cause of action or 556
substantive legal right against any person involving a product 557
liability claim. 558

(E) An action brought by a victim of childhood sexual 559
abuse asserting any claim resulting from childhood sexual abuse, 560
as defined in section 2305.111 of the Revised Code, shall be 561
brought as provided in division (C) of that section. 562

(F) As used in this section: 563

(1) ~~"Agent orange," "causative agent," and "veteran" have~~ 564
"Veteran" has the same meanings meaning as in section 5903.21 of 565
the Revised Code. 566

(2) "Ethical drug," "ethical medical device," 567
"manufacturer," "product," "product liability claim," and 568
"supplier" have the same meanings as in section 2307.71 of the 569
Revised Code. 570

(3) "Harm" means injury, death, or loss to person or 571
property. 572

(G) This section shall be considered to be purely remedial 573

in operation and shall be applied in a remedial manner in any 574
civil action commenced on or after April 7, 2005, in which this 575
section is relevant, regardless of when the cause of action 576
accrued and notwithstanding any other section of the Revised 577
Code or prior rule of law of this state, but shall not be 578
construed to apply to any civil action pending prior to April 7, 579
2005. 580

Sec. 4743.04. (A) The renewal of a license or other 581
authorization to practice a trade or profession issued under 582
Title XLVII of the Revised Code is subject to the provisions of 583
section 5903.10 of the Revised Code relating to service in the 584
armed forces. 585

(B) Continuing education requirements applicable to the 586
licensees under Title XLVII of the Revised Code are subject to 587
the provisions of section 5903.12 of the Revised Code relating 588
to active duty military service. 589

(C) A department, agency, or office of this state or of 590
any political subdivision of this state that issues a license or 591
certificate to practice a trade or profession may, pursuant to 592
rules adopted by the department, agency, or office, issue a 593
temporary license or certificate to practice the trade or 594
profession to a person whose spouse is on active military duty 595
in this state. 596

(D) The issuance of a license or other authorization to 597
practice a trade or profession issued under Title XLVII of the 598
Revised Code is subject to the provisions of section 5903.03 of 599
the Revised Code relating to service in the armed forces. 600

(E) The issuance of a license or other authorization to 601
practice a trade or profession issued under Title XLVII of the 602

Revised Code is subject to sections 5903.21 to 5903.25 of the 603
Revised Code relating to the veterans fee waiver program. 604

Sec. 5903.21. As used in sections 5903.21 to 5903.25 of 605
the Revised Code: 606

"Armed forces" means the armed forces of the United 607
States, including the army, navy, air force, marine corps, coast 608
guard, or any reserve components of those forces; the national 609
guard of any state; the commissioned corps of the United States 610
public health service; the merchant marine service during 611
wartime; such other service as may be designated by congress; or 612
the Ohio organized militia when engaged in full-time national 613
guard duty for a period of more than thirty days. 614

"Document" means articles of incorporation of a domestic 615
corporation, including designation of agent; articles of 616
organization of a limited liability company; a registration 617
application to become a domestic limited liability partnership; 618
a certificate of limited partnership; an application for the 619
exclusive right to use a name; an application to reserve a name 620
for future use; and a trade name or fictitious name registration 621
or report. 622

"License" means a license, certificate, permit, or other 623
authorization issued or conferred by a licensing agency under 624
which a recipient may operate a business within a profession or 625
occupation. 626

"Licensing agency" means any state department, division, 627
board, commission, agency, or other state governmental unit 628
authorized by the Revised Code to issue a license. 629

"Merchant marine" includes the United States army 630
transport service and the United States naval transport service. 631

"Veteran" means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service. 632
633
634
635
636
637

Sec. 5903.22. The department of veterans services shall establish and maintain the veterans fee waiver program. 638
639

As a function of the program, the department shall, upon receiving a request for verification from the secretary of state or a licensing agency, verify for the secretary of state or licensing agency whether or not an individual who claims a fee waiver is eligible to receive the fee waiver. The department shall respond to a request for verification within thirty days after receiving the request. 640
641
642
643
644
645
646

Sec. 5903.23. To be eligible to receive a fee waiver under the veterans fee waiver program, an individual shall satisfy all of the following conditions that apply to the individual: 647
648
649

(A) The individual is a resident of the state; 650

(B) The individual is a veteran and provides documentation to the secretary of state or licensing agency indicating the individual is a veteran; 651
652
653

(C) The individual has not received previously a fee waiver under the program; 654
655

(D) If applying for a license, the individual is applying for an initial license; and 656
657

(E) If applying for a license, the individual is an owner of a business and is applying for a license to operate that 658
659

business.

660

Sec. 5903.24. (A) The secretary of state shall prescribe a form on which an individual who is charged a fee under division (A), (F), (G), or (S) of section 111.16 of the Revised Code may claim a fee waiver under the veterans fee waiver program. Upon receiving a form claiming eligibility for a fee waiver, the secretary of state shall request the department to verify whether the individual is eligible for a fee waiver under the program. The secretary of state shall provide to the department the documentation provided by the individual that indicates the individual is a veteran.

661

662

663

664

665

666

667

668

669

670

If the department verifies the individual is eligible for a fee waiver, the secretary of state shall waive the fee for the document. The amount waived by the secretary of state under this section may not exceed one hundred twenty-five dollars.

671

672

673

674

(B) A licensing agency shall provide, on its license application or applications, an opportunity for an individual to claim the individual is eligible to receive a fee waiver under the veterans fee waiver program.

675

676

677

678

After receiving an application that includes a claim of eligibility for a fee waiver, the licensing agency shall request the department of veterans services to verify whether the applicant is eligible for a fee waiver under the program. The licensing agency shall provide to the department the documentation provided by the individual that indicates the individual is a veteran.

679

680

681

682

683

684

685

If the department verifies the applicant is eligible for a fee waiver, the licensing agency shall waive the fee for the license.

686

687

688

Sec. 5903.25. The department of veterans services shall 689
provide information on its web site about the veterans fee 690
waiver program. The web site shall include a list of the 691
licenses and documents for which a fee waiver may be used and 692
shall state which licensing agency to contact to receive a fee 693
waiver for a license, or, in the case of a document, shall 694
direct the user to the secretary of state. 695

Each licensing agency shall provide information on its web 696
site about the veterans fee waiver program and shall include a 697
list of the licenses the licensing agency issues that are 698
eligible for a fee waiver under the program. 699

The secretary of state shall provide information on its 700
web site about the veterans fee waiver program and shall include 701
a list of documents for which a fee waiver may be used under the 702
program. 703

Section 2. That existing sections 111.16, 111.17, 1703.31, 704
1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 of the Revised 705
Code are hereby repealed. 706