

**As Reported by the Committee of Conference**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Am. Sub. S. B. No. 10**

**Senator Wilson**

**Cosponsors: Senators Peterson, Uecker, Coley, Hoagland, Gavarone, Antonio, Craig, Dolan, Eklund, Hackett, Hill, Hottinger, Huffman, M., Huffman, S., Kunze, Lehner, Maharath, McColley, Obhof, O'Brien, Roegner, Rulli, Sykes, Thomas, Williams**

**Representatives Plummer, Leland, Crossman, Cupp, Galonski, Rogers, Smith, T., West, Lang, Grendell, Seitz, Clites, Greenspan, Hambley, Manning, G., Patton, Perales**

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**A BILL**

To amend sections 319.16, 2307.382, 2921.41, 1  
2953.32, 2953.321, 2953.36, 2953.51, 2953.54, 2  
and 5747.12 and to enact section 117.116 of the 3  
Revised Code and to amend Section 22 of H.B. 197 4  
of the 133rd General Assembly to expand the 5  
penalties for theft in office based on the 6  
amount stolen, to include as restitution audit 7  
costs of the entity that suffered the loss, to 8  
modify various aspects of the laws regarding 9  
criminal and delinquency record sealing and 10  
expungement, to expand the list of debts toward 11  
satisfaction of which the Tax Commissioner may 12  
apply a tax refund due to a taxpayer, to expand 13  
the basis of a court's exercise of personal 14  
jurisdiction, to specify a separate standard for 15  
the issuing of warrants upon presentation of a 16  
court order, and to declare an emergency. 17

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

**Section 1.** That sections 319.16, 2307.382, 2921.41, 18  
2953.32, 2953.321, 2953.36, 2953.51, 2953.54, and 5747.12 be 19  
amended and section 117.116 of the Revised Code be enacted to 20  
read as follows: 21

**Sec. 117.116.** The auditor of state, upon receiving 22  
notification that a county auditor has filed a warrant under 23  
protest as specified in section 319.16 of the Revised Code, may 24  
review that warrant as part of the auditor of state's next 25  
regularly scheduled audit of the public office that presented 26  
documents under that section that led to issuance of the warrant 27  
under protest. 28

**Sec. 319.16.** (A) The county auditor shall issue warrants, 29  
including electronic warrants authorizing direct deposit for 30  
payment of county obligations in accordance with division (F) of 31  
section 9.37 of the Revised Code, on the county treasurer for 32  
all moneys payable from the county treasury, upon presentation 33  
of either of the following: 34

(1) Any proper order or voucher and evidentiary matter ~~for~~ 35  
the moneys, and; 36

(2) Any proper court order for expenses of any court 37  
funded through the county treasury and, upon request of the 38  
county auditor, legible copies of any court-approved invoice, 39  
bill, receipt, check, or contract related to the order, redacted 40  
as required by law, to the extent those documents exist. 41

(B) When a court order described in division (A) (2) of 42  
this section is presented, the auditor shall have no liability 43

for that expenditure and the court issuing the order shall 44  
assume the financial liability, if any, for that expenditure. 45  
The county auditor shall keep a record of all such warrants 46  
showing the number, date of issue, amount for which drawn, in 47  
whose favor, for what purpose, and on what fund. ~~The~~ 48

(C) The auditor shall not issue a warrant for the payment 49  
of any claim against the county, unless it is allowed by the 50  
board of county commissioners, except where the amount due is 51  
fixed by law or is allowed by an officer or tribunal, including 52  
a county board of mental health or county board of developmental 53  
disabilities, so authorized by law. ~~If~~ 54

(D) If the auditor questions the validity of an 55  
expenditure under division (A) (2) of this section that is within 56  
available appropriations ~~and for which a proper order or voucher~~ 57  
~~and evidentiary matter is presented,~~ the auditor shall notify 58  
the court that presented the documents, shall issue the warrant 59  
under protest, and shall notify the auditor of state of the 60  
protest. When a warrant is issued under division (D) of this 61  
section, the auditor has no liability for that expenditure. If 62  
the auditor refuses to issue the warrant, a writ of mandamus may 63  
be sought. The court shall issue a writ of mandamus for issuance 64  
of the warrant if the court determines that the claim is valid. 65

(E) If the auditor questions the validity of an 66  
expenditure presented under division (A) (1) of this section that 67  
is within available appropriations, the auditor shall notify the 68  
board, officer, or tribunal who presented the ~~voucher~~documents. 69  
If the board, officer, or tribunal determines that the 70  
expenditure is valid and the auditor ~~continues to refuse~~refuses 71  
to issue the appropriate warrant on the county treasury, a writ 72  
of mandamus may be sought. The court shall issue a writ of 73

mandamus for issuance of the warrant if the court determines 74  
that the claim is valid. 75

Evidentiary matter includes original invoices, receipts, 76  
bills and checks, and legible copies of contracts. 77

**Sec. 2307.382.** (A) A court may exercise personal 78  
jurisdiction over a person who acts directly or by an agent, as 79  
to a cause of action arising from the person's: 80

(1) Transacting any business in this state; 81

(2) Contracting to supply services or goods in this state; 82

(3) Causing tortious injury by an act or omission in this 83  
state; 84

(4) Causing tortious injury in this state by an act or 85  
omission outside this state if ~~he~~ the person regularly does or 86  
solicits business, or engages in any other persistent course of 87  
conduct, or derives substantial revenue from goods used or 88  
consumed or services rendered in this state; 89

(5) Causing injury in this state to any person by breach 90  
of warranty expressly or impliedly made in the sale of goods 91  
outside this state when ~~he~~ the person might reasonably have 92  
expected such person to use, consume, or be affected by the 93  
goods in this state, provided that ~~he~~ the person also regularly 94  
does or solicits business, or engages in any other persistent 95  
course of conduct, or derives substantial revenue from goods 96  
used or consumed or services rendered in this state; 97

(6) Causing tortious injury in this state to any person by 98  
an act outside this state committed with the purpose of injuring 99  
persons, when ~~he~~ the person might reasonably have expected that 100  
some person would be injured thereby in this state; 101

(7) Causing tortious injury to any person by a criminal 102  
act, any element of which takes place in this state, which—~~he~~ 103  
the person commits or in the commission of which—~~he~~ the person 104  
is guilty of complicity. 105

(8) Having an interest in, using, or possessing real 106  
property in this state; 107

(9) Contracting to insure any person, property, or risk 108  
located within this state at the time of contracting. 109

(B) For purposes of this section, a person who enters into 110  
an agreement, as a principal, with a sales representative for 111  
the solicitation of orders in this state is transacting business 112  
in this state. As used in this division, "principal" and "sales 113  
representative" have the same meanings as in section 1335.11 of 114  
the Revised Code. 115

(C) ~~When~~ In addition to a court's exercise of personal 116  
jurisdiction under division (A) of this section, a court may 117  
exercise personal jurisdiction over a person is based solely 118  
upon this section, only a cause of action arising from acts 119  
enumerated in this section may be asserted against him on any 120  
basis consistent with the Ohio Constitution and the United 121  
States Constitution. 122

**Sec. 2921.41.** (A) No public official or party official 123  
shall commit any theft offense, as defined in division (K) of 124  
section 2913.01 of the Revised Code, when either of the 125  
following applies: 126

(1) The offender uses the offender's office in aid of 127  
committing the offense or permits or assents to its use in aid 128  
of committing the offense; 129

(2) The property or service involved is owned by this 130

state, any other state, the United States, a county, a municipal 131  
corporation, a township, or any political subdivision, 132  
department, or agency of any of them, is owned by a political 133  
party, or is part of a political campaign fund. 134

(B) Whoever violates this section is guilty of theft in 135  
office. Except as otherwise provided in this division, theft in 136  
office is a felony of the fifth degree. If the value of property 137  
or services stolen is one thousand dollars or more and is less 138  
than seven thousand five hundred dollars, theft in office is a 139  
felony of the fourth degree. If the value of property or 140  
services stolen is seven thousand five hundred dollars or more 141  
and is less than one hundred fifty thousand dollars, theft in 142  
office is a felony of the third degree. If the value of property 143  
or services stolen is one hundred fifty thousand dollars or more 144  
and is less than seven hundred fifty thousand dollars, theft in 145  
office is a felony of the second degree. If the value of 146  
property or services stolen is seven hundred fifty thousand 147  
dollars or more, theft in office is a felony of the first 148  
degree. 149

(C) (1) A public official or party official who pleads 150  
guilty to theft in office and whose plea is accepted by the 151  
court or a public official or party official against whom a 152  
verdict or finding of guilt for committing theft in office is 153  
returned is forever disqualified from holding any public office, 154  
employment, or position of trust in this state. 155

(2) (a) (i) A court that imposes sentence for a violation of 156  
this section based on conduct described in division (A) (2) of 157  
this section shall require the public official or party official 158  
who is convicted of or pleads guilty to the offense to make 159  
restitution for all of the property or the service that is the 160

subject of the offense, in addition to the term of imprisonment 161  
and any fine imposed. The total amount of restitution imposed 162  
under this division shall include costs of auditing the public 163  
entities specified in division (A) (2) of this section that own 164  
the property or service involved in the conduct described in 165  
that division that is a violation of this section, but, except 166  
as otherwise provided in a negotiated plea agreement, shall not 167  
exceed the amount of the restitution imposed for all of the 168  
property or the service that is the subject of the offense. 169

(ii) A court that imposes sentence for a violation of this 170  
section based on conduct described in division (A) (1) of this 171  
section and that determines at trial that this state or a 172  
political subdivision of this state if the offender is a public 173  
official, or a political party in the United States or this 174  
state if the offender is a party official, suffered actual loss 175  
as a result of the offense shall require the offender to make 176  
restitution to the state, political subdivision, or political 177  
party for all of the actual loss experienced, in addition to the 178  
term of imprisonment and any fine imposed. The total amount of 179  
restitution imposed under this division shall include costs of 180  
auditing the state, political subdivision, or political party 181  
that suffered the actual loss based on conduct described in that 182  
division that is a violation of this section, but, except as 183  
otherwise provided in a negotiated plea agreement, shall not 184  
exceed the amount of the restitution imposed for all of the 185  
actual loss suffered. 186

(b) (i) In any case in which a sentencing court is required 187  
to order restitution under division (C) (2) (a) of this section 188  
and in which the offender, at the time of the commission of the 189  
offense or at any other time, was a member of the public 190  
employees retirement system, the Ohio police and fire pension 191

fund, the state teachers retirement system, the school employees 192  
retirement system, or the state highway patrol retirement 193  
system; was an electing employee, as defined in section 3305.01 194  
of the Revised Code, participating in an alternative retirement 195  
plan provided pursuant to Chapter 3305. of the Revised Code; was 196  
a participating employee or continuing member, as defined in 197  
section 148.01 of the Revised Code, in a deferred compensation 198  
program offered by the Ohio public employees deferred 199  
compensation board; was an officer or employee of a municipal 200  
corporation who was a participant in a deferred compensation 201  
program offered by that municipal corporation; was an officer or 202  
employee of a government unit, as defined in section 148.06 of 203  
the Revised Code, who was a participant in a deferred 204  
compensation program offered by that government unit, or was a 205  
participating employee, continuing member, or participant in any 206  
deferred compensation program described in this division and a 207  
member of a retirement system specified in this division or a 208  
retirement system of a municipal corporation, the entity to 209  
which restitution is to be made may file a motion with the 210  
sentencing court specifying any retirement system, any provider 211  
as defined in section 3305.01 of the Revised Code, and any 212  
deferred compensation program of which the offender was a 213  
member, electing employee, participating employee, continuing 214  
member, or participant and requesting the court to issue an 215  
order requiring the specified retirement system, the specified 216  
provider under the alternative retirement plan, or the specified 217  
deferred compensation program, or, if more than one is specified 218  
in the motion, the applicable combination of these, to withhold 219  
the amount required as restitution from any payment that is to 220  
be made under a pension, annuity, or allowance, under an option 221  
in the alternative retirement plan, under a participant account, 222  
as defined in section 148.01 of the Revised Code, or under any 223



other type of benefit, other than a survivorship benefit, that 224  
has been or is in the future granted to the offender, from any 225  
payment of accumulated employee contributions standing to the 226  
offender's credit with that retirement system, that provider of 227  
the option under the alternative retirement plan, or that 228  
deferred compensation program, or, if more than one is specified 229  
in the motion, the applicable combination of these, and from any 230  
payment of any other amounts to be paid to the offender upon the 231  
offender's withdrawal of the offender's contributions pursuant 232  
to Chapter 145., 148., 742., 3307., 3309., or 5505. of the 233  
Revised Code. A motion described in this division may be filed 234  
at any time subsequent to the conviction of the offender or 235  
entry of a guilty plea. Upon the filing of the motion, the clerk 236  
of the court in which the motion is filed shall notify the 237  
offender, the specified retirement system, the specified 238  
provider under the alternative retirement plan, or the specified 239  
deferred compensation program, or, if more than one is specified 240  
in the motion, the applicable combination of these, in writing, 241  
of all of the following: that the motion was filed; that the 242  
offender will be granted a hearing on the issuance of the 243  
requested order if the offender files a written request for a 244  
hearing with the clerk prior to the expiration of thirty days 245  
after the offender receives the notice; that, if a hearing is 246  
requested, the court will schedule a hearing as soon as possible 247  
and notify the offender, any specified retirement system, any 248  
specified provider under an alternative retirement plan, and any 249  
specified deferred compensation program of the date, time, and 250  
place of the hearing; that, if a hearing is conducted, it will 251  
be limited only to a consideration of whether the offender can 252  
show good cause why the requested order should not be issued; 253  
that, if a hearing is conducted, the court will not issue the 254  
requested order if the court determines, based on evidence 255

presented at the hearing by the offender, that there is good 256  
cause for the requested order not to be issued; that the court 257  
will issue the requested order if a hearing is not requested or 258  
if a hearing is conducted but the court does not determine, 259  
based on evidence presented at the hearing by the offender, that 260  
there is good cause for the requested order not to be issued; 261  
and that, if the requested order is issued, any retirement 262  
system, any provider under an alternative retirement plan, and 263  
any deferred compensation program specified in the motion will 264  
be required to withhold the amount required as restitution from 265  
payments to the offender. 266

(ii) In any case in which a sentencing court is required 267  
to order restitution under division (C)(2)(a) of this section 268  
and in which a motion requesting the issuance of a withholding 269  
order as described in division (C)(2)(b)(i) of this section is 270  
filed, the offender may receive a hearing on the motion by 271  
delivering a written request for a hearing to the court prior to 272  
the expiration of thirty days after the offender's receipt of 273  
the notice provided pursuant to division (C)(2)(b)(i) of this 274  
section. If a request for a hearing is made by the offender 275  
within the prescribed time, the court shall schedule a hearing 276  
as soon as possible after the request is made and shall notify 277  
the offender, the specified retirement system, the specified 278  
provider under the alternative retirement plan, or the specified 279  
deferred compensation program, or, if more than one is specified 280  
in the motion, the applicable combination of these, of the date, 281  
time, and place of the hearing. A hearing scheduled under this 282  
division shall be limited to a consideration of whether there is 283  
good cause, based on evidence presented by the offender, for the 284  
requested order not to be issued. If the court determines, based 285  
on evidence presented by the offender, that there is good cause 286

for the order not to be issued, the court shall deny the motion 287  
and shall not issue the requested order. If the offender does 288  
not request a hearing within the prescribed time or if the court 289  
conducts a hearing but does not determine, based on evidence 290  
presented by the offender, that there is good cause for the 291  
order not to be issued, the court shall order the specified 292  
retirement system, the specified provider under the alternative 293  
retirement plan, or the specified deferred compensation program, 294  
or, if more than one is specified in the motion, the applicable 295  
combination of these, to withhold the amount required as 296  
restitution under division (C) (2) (a) of this section from any 297  
payments to be made under a pension, annuity, or allowance, 298  
under a participant account, as defined in section 148.01 of the 299  
Revised Code, under an option in the alternative retirement 300  
plan, or under any other type of benefit, other than a 301  
survivorship benefit, that has been or is in the future granted 302  
to the offender, from any payment of accumulated employee 303  
contributions standing to the offender's credit with that 304  
retirement system, that provider under the alternative 305  
retirement plan, or that deferred compensation program, or, if 306  
more than one is specified in the motion, the applicable 307  
combination of these, and from any payment of any other amounts 308  
to be paid to the offender upon the offender's withdrawal of the 309  
offender's contributions pursuant to Chapter 145., 148., 742., 310  
3307., 3309., or 5505. of the Revised Code, and to continue the 311  
withholding for that purpose, in accordance with the order, out 312  
of each payment to be made on or after the date of issuance of 313  
the order, until further order of the court. Upon receipt of an 314  
order issued under this division, the public employees 315  
retirement system, the Ohio police and fire pension fund, the 316  
state teachers retirement system, the school employees 317  
retirement system, the state highway patrol retirement system, a 318

municipal corporation retirement system, the provider under the 319  
alternative retirement plan, and the deferred compensation 320  
program offered by the Ohio public employees deferred 321  
compensation board, a municipal corporation, or a government 322  
unit, as defined in section 148.06 of the Revised Code, 323  
whichever are applicable, shall withhold the amount required as 324  
restitution, in accordance with the order, from any such 325  
payments and immediately shall forward the amount withheld to 326  
the clerk of the court in which the order was issued for payment 327  
to the entity to which restitution is to be made. 328

(iii) Service of a notice required by division (C) (2) (b) 329  
(i) or (ii) of this section shall be effected in the same manner 330  
as provided in the Rules of Civil Procedure for the service of 331  
process. 332

(c) Consistent with the ruling of the supreme court of the 333  
United States in Kelly v. Robinson, 479 U.S. 36 (1986), 334  
restitution imposed under division (C) (2) (a) of this section is 335  
not dischargeable under Chapter 7 of the United States 336  
Bankruptcy Code pursuant to 11 U.S.C. 523, as amended. 337

(D) Upon the filing of charges against a person under this 338  
section, the prosecutor, as defined in section 2935.01 of the 339  
Revised Code, who is assigned the case shall send written notice 340  
that charges have been filed against that person to the public 341  
employees retirement system, the Ohio police and fire pension 342  
fund, the state teachers retirement system, the school employees 343  
retirement system, the state highway patrol retirement system, 344  
the provider under an alternative retirement plan, any municipal 345  
corporation retirement system in this state, and the deferred 346  
compensation program offered by the Ohio public employees 347  
deferred compensation board, a municipal corporation, or a 348

government unit, as defined in section 148.06 of the Revised Code. The written notice shall specifically identify the person charged.

**Sec. 2953.32.** (A) (1) Except as provided in section 2953.61 of the Revised Code or as otherwise provided in division (A) (1) (d) of this section, an eligible offender may apply to the sentencing court if convicted in this state, or to a court of common pleas if convicted in another state or in a federal court, for the sealing of the record of the case that pertains to the conviction. Application may be made at one of the following times:

(a) At the expiration of three years after the offender's final discharge if convicted of one felony, so long as none of the offenses is a violation of section 2921.43 of the Revised Code;

(b) When division (A) (1) (a) of section 2953.31 of the Revised Code applies to the offender, at the expiration of four years after the offender's final discharge if convicted of two felonies, or at the expiration of five years after final discharge if convicted of three, four, or five felonies, so long as none of the offenses is a violation of section 2921.43 of the Revised Code;

(c) At the expiration of one year after the offender's final discharge if convicted of a misdemeanor, so long as none of the offenses is a violation of section 2921.43 of the Revised Code;

(d) At the expiration of seven years after the offender's final discharge if the record includes a conviction of soliciting improper compensation in violation of section 2921.43

of the Revised Code. 378

(2) Any person who has been arrested for any misdemeanor 379  
offense and who has effected a bail forfeiture for the offense 380  
charged may apply to the court in which the misdemeanor criminal 381  
case was pending when bail was forfeited for the sealing of the 382  
record of the case that pertains to the charge. Except as 383  
provided in section 2953.61 of the Revised Code, the application 384  
may be filed at any time after the expiration of one year from 385  
the date on which the bail forfeiture was entered upon the 386  
minutes of the court or the journal, whichever entry occurs 387  
first. 388

(B) Upon the filing of an application under this section, 389  
the court shall set a date for a hearing and shall notify the 390  
prosecutor for the case of the hearing on the application. The 391  
prosecutor may object to the granting of the application by 392  
filing an objection with the court prior to the date set for the 393  
hearing. The prosecutor shall specify in the objection the 394  
reasons for believing a denial of the application is justified. 395  
The court shall direct its regular probation officer, a state 396  
probation officer, or the department of probation of the county 397  
in which the applicant resides to make inquiries and written 398  
reports as the court requires concerning the applicant. The 399  
probation officer or county department of probation that the 400  
court directs to make inquiries concerning the applicant shall 401  
determine whether or not the applicant was fingerprinted at the 402  
time of arrest or under section 109.60 of the Revised Code. If 403  
the applicant was so fingerprinted, the probation officer or 404  
county department of probation shall include with the written 405  
report a record of the applicant's fingerprints. If the 406  
applicant was convicted of or pleaded guilty to a violation of 407  
division (A) (2) or (B) of section 2919.21 of the Revised Code, 408

the probation officer or county department of probation that the 409  
court directed to make inquiries concerning the applicant shall 410  
contact the child support enforcement agency enforcing the 411  
applicant's obligations under the child support order to inquire 412  
about the offender's compliance with the child support order. 413

(C) (1) The court shall do each of the following: 414

(a) Determine whether the applicant is an eligible 415  
offender or whether the forfeiture of bail was agreed to by the 416  
applicant and the prosecutor in the case. If the applicant 417  
applies as an eligible offender pursuant to division (A) (1) of 418  
this section and has two or three convictions that result from 419  
the same indictment, information, or complaint, from the same 420  
plea of guilty, or from the same official proceeding, and result 421  
from related criminal acts that were committed within a three- 422  
month period but do not result from the same act or from 423  
offenses committed at the same time, in making its determination 424  
under this division, the court initially shall determine whether 425  
it is not in the public interest for the two or three 426  
convictions to be counted as one conviction. If the court 427  
determines that it is not in the public interest for the two or 428  
three convictions to be counted as one conviction, the court 429  
shall determine that the applicant is not an eligible offender; 430  
if the court does not make that determination, the court shall 431  
determine that the offender is an eligible offender. 432

(b) Determine whether criminal proceedings are pending 433  
against the applicant; 434

(c) If the applicant is an eligible offender who applies 435  
pursuant to division (A) (1) of this section, determine whether 436  
the applicant has been rehabilitated to the satisfaction of the 437  
court; 438

(d) If the prosecutor has filed an objection in accordance 439  
with division (B) of this section, consider the reasons against 440  
granting the application specified by the prosecutor in the 441  
objection; 442

(e) Weigh the interests of the applicant in having the 443  
records pertaining to the applicant's conviction or bail 444  
forfeiture sealed against the legitimate needs, if any, of the 445  
government to maintain those records. 446

(2) If the court determines, after complying with division 447  
(C)(1) of this section, that the applicant is an eligible 448  
offender or the subject of a bail forfeiture, that no criminal 449  
proceeding is pending against the applicant, that the interests 450  
of the applicant in having the records pertaining to the 451  
applicant's conviction or bail forfeiture sealed are not 452  
outweighed by any legitimate governmental needs to maintain 453  
those records, and that the rehabilitation of an applicant who 454  
is an eligible offender applying pursuant to division (A)(1) of 455  
this section has been attained to the satisfaction of the court, 456  
the court, except as provided in division (C)(4), (G), (H), or 457  
(I) of this section, shall order all official records of the 458  
case that pertain to the conviction or bail forfeiture sealed 459  
and, except as provided in division (F) of this section, all 460  
index references to the case that pertain to the conviction or 461  
bail forfeiture deleted and, in the case of bail forfeitures, 462  
shall dismiss the charges in the case. The proceedings in the 463  
case that pertain to the conviction or bail forfeiture shall be 464  
considered not to have occurred and the conviction or bail 465  
forfeiture of the person who is the subject of the proceedings 466  
shall be sealed, except that upon conviction of a subsequent 467  
offense, the sealed record of prior conviction or bail 468  
forfeiture may be considered by the court in determining the 469



sentence or other appropriate disposition, including the relief 470  
provided for in sections 2953.31 to 2953.33 of the Revised Code. 471

(3) An applicant may request the sealing of the records of 472  
more than one case in a single application under this section. 473  
Upon the filing of an application under this section, the 474  
applicant, unless indigent, shall pay a fee of fifty dollars, 475  
regardless of the number of records the application requests to 476  
have sealed. The court shall pay thirty dollars of the fee into 477  
the state treasury. It shall pay twenty dollars of the fee into 478  
the county general revenue fund if the sealed conviction or bail 479  
forfeiture was pursuant to a state statute, or into the general 480  
revenue fund of the municipal corporation involved if the sealed 481  
conviction or bail forfeiture was pursuant to a municipal 482  
ordinance. 483

(4) If the court orders the official records pertaining to 484  
the case sealed, the court shall do one of the following: 485

(a) If the applicant was fingerprinted at the time of 486  
arrest or under section 109.60 of the Revised Code and the 487  
record of the applicant's fingerprints was provided to the court 488  
under division (B) of this section, forward a copy of the 489  
sealing order and the record of the applicant's fingerprints to 490  
the bureau of criminal identification and investigation. 491

(b) If the applicant was not fingerprinted at the time of 492  
arrest or under section 109.60 of the Revised Code, or the 493  
record of the applicant's fingerprints was not provided to the 494  
court under division (B) of this section, but fingerprinting was 495  
required for the offense, order the applicant to appear before a 496  
sheriff to have the applicant's fingerprints taken according to 497  
the fingerprint system of identification on the forms furnished 498  
by the superintendent of the bureau of criminal identification 499

and investigation. The sheriff shall forward the applicant's 500  
fingerprints to the court. The court shall forward the 501  
applicant's fingerprints and a copy of the sealing order to the 502  
bureau of criminal identification and investigation. 503

Failure of the court to order fingerprints at the time of 504  
sealing does not constitute a reversible error. 505

(D) Inspection of the sealed records included in the order 506  
may be made only by the following persons or for the following 507  
purposes: 508

(1) By a law enforcement officer or prosecutor, or the 509  
assistants of either, to determine whether the nature and 510  
character of the offense with which a person is to be charged 511  
would be affected by virtue of the person's previously having 512  
been convicted of a crime; 513

(2) By the parole or probation officer of the person who 514  
is the subject of the records, for the exclusive use of the 515  
officer in supervising the person while on parole or under a 516  
community control sanction or a post-release control sanction, 517  
and in making inquiries and written reports as requested by the 518  
court or adult parole authority; 519

(3) Upon application by the person who is the subject of 520  
the records, by the persons named in the application; 521

(4) By a law enforcement officer who was involved in the 522  
case, for use in the officer's defense of a civil action arising 523  
out of the officer's involvement in that case; 524

(5) By a prosecuting attorney or the prosecuting 525  
attorney's assistants, to determine a defendant's eligibility to 526  
enter a pre-trial diversion program established pursuant to 527  
section 2935.36 of the Revised Code; 528

(6) By any law enforcement agency or any authorized	529
employee of a law enforcement agency or by the department of	530
rehabilitation and correction or department of youth services as	531
part of a background investigation of a person who applies for	532
employment with the agency or with the department;	533
(7) By any law enforcement agency or any authorized	534
employee of a law enforcement agency, for the purposes set forth	535
in, and in the manner provided in, section 2953.321 of the	536
Revised Code;	537
(8) By the bureau of criminal identification and	538
investigation or any authorized employee of the bureau for the	539
purpose of providing information to a board or person pursuant	540
to division (F) or (G) of section 109.57 of the Revised Code;	541
(9) By the bureau of criminal identification and	542
investigation or any authorized employee of the bureau for the	543
purpose of performing a criminal history records check on a	544
person to whom a certificate as prescribed in section 109.77 of	545
the Revised Code is to be awarded;	546
(10) By the bureau of criminal identification and	547
investigation or any authorized employee of the bureau for the	548
purpose of conducting a criminal records check of an individual	549
pursuant to division (B) of section 109.572 of the Revised Code	550
that was requested pursuant to any of the sections identified in	551
division (B)(1) of that section;	552
(11) By the bureau of criminal identification and	553
investigation, an authorized employee of the bureau, a sheriff,	554
or an authorized employee of a sheriff in connection with a	555
criminal records check described in section 311.41 of the	556
Revised Code;	557

(12) By the attorney general or an authorized employee of 558  
the attorney general or a court for purposes of determining a 559  
person's classification pursuant to Chapter 2950. of the Revised 560  
Code; 561

(13) By a court, the registrar of motor vehicles, a 562  
prosecuting attorney or the prosecuting attorney's assistants, 563  
or a law enforcement officer for the purpose of assessing points 564  
against a person under section 4510.036 of the Revised Code or 565  
for taking action with regard to points assessed. 566

When the nature and character of the offense with which a 567  
person is to be charged would be affected by the information, it 568  
may be used for the purpose of charging the person with an 569  
offense. 570

(E) In any criminal proceeding, proof of any otherwise 571  
admissible prior conviction may be introduced and proved, 572  
notwithstanding the fact that for any such prior conviction an 573  
order of sealing previously was issued pursuant to sections 574  
2953.31 to 2953.36 of the Revised Code. 575

(F) The person or governmental agency, office, or 576  
department that maintains sealed records pertaining to 577  
convictions or bail forfeitures that have been sealed pursuant 578  
to this section may maintain a manual or computerized index to 579  
the sealed records. The index shall contain only the name of, 580  
and alphanumeric identifiers that relate to, the persons who are 581  
the subject of the sealed records, the word "sealed," and the 582  
name of the person, agency, office, or department that has 583  
custody of the sealed records, and shall not contain the name of 584  
the crime committed. The index shall be made available by the 585  
person who has custody of the sealed records only for the 586  
purposes set forth in divisions (C), (D), and (E) of this 587

section. 588

(G) Notwithstanding any provision of this section or 589  
section 2953.33 of the Revised Code that requires otherwise, a 590  
board of education of a city, local, exempted village, or joint 591  
vocational school district that maintains records of an 592  
individual who has been permanently excluded under sections 593  
3301.121 and 3313.662 of the Revised Code is permitted to 594  
maintain records regarding a conviction that was used as the 595  
basis for the individual's permanent exclusion, regardless of a 596  
court order to seal the record. An order issued under this 597  
section to seal the record of a conviction does not revoke the 598  
adjudication order of the superintendent of public instruction 599  
to permanently exclude the individual who is the subject of the 600  
sealing order. An order issued under this section to seal the 601  
record of a conviction of an individual may be presented to a 602  
district superintendent as evidence to support the contention 603  
that the superintendent should recommend that the permanent 604  
exclusion of the individual who is the subject of the sealing 605  
order be revoked. Except as otherwise authorized by this 606  
division and sections 3301.121 and 3313.662 of the Revised Code, 607  
any school employee in possession of or having access to the 608  
sealed conviction records of an individual that were the basis 609  
of a permanent exclusion of the individual is subject to section 610  
2953.35 of the Revised Code. 611

(H) Notwithstanding any provision of this section or 612  
section 2953.33 of the Revised Code that requires otherwise, if 613  
the auditor of state or a prosecutor maintains records, reports, 614  
or audits of an individual who has been forever disqualified 615  
from holding public office, employment, or position of trust in 616  
this state under sections 2921.41 and 2921.43 of the Revised 617  
Code, or has otherwise been convicted of an offense based upon 618

the records, reports, or audits of the auditor of state, the 619  
auditor of state or prosecutor is permitted to maintain those 620  
records to the extent they were used as the basis for the 621  
individual's disqualification or conviction, and shall not be 622  
compelled by court order to seal those records. 623

(I) For purposes of sections 2953.31 to 2953.36 of the 624  
Revised Code, DNA records collected in the DNA database and 625  
fingerprints filed for record by the superintendent of the 626  
bureau of criminal identification and investigation shall not be 627  
sealed unless the superintendent receives a certified copy of a 628  
final court order establishing that the offender's conviction 629  
has been overturned. For purposes of this section, a court order 630  
is not "final" if time remains for an appeal or application for 631  
discretionary review with respect to the order. 632

~~(I)~~ (J) The sealing of a record under this section does 633  
not affect the assessment of points under section 4510.036 of 634  
the Revised Code and does not erase points assessed against a 635  
person as a result of the sealed record. 636

**Sec. 2953.321.** (A) As used in this section, "investigatory 637  
work product" means any records or reports of a law enforcement 638  
officer or agency that are excepted from the definition of 639  
"official records" contained in section 2953.51 of the Revised 640  
Code and that pertain to a conviction or bail forfeiture the 641  
records of which have been ordered sealed pursuant to division 642  
(C) (2) of section 2953.32 of the Revised Code or that pertain to 643  
a conviction or delinquent child adjudication the records of 644  
which have been ordered expunged pursuant to division (E) of 645  
section 2151.358, division (D) (2) of section 2953.37, or 646  
division (G) of section 2953.38 of the Revised Code. 647

(B) Upon the issuance of an order by a court pursuant to 648

division (C) (2) of section 2953.32 of the Revised Code directing 649  
that all official records of a case pertaining to a conviction 650  
or bail forfeiture be sealed or an order by a court pursuant to 651  
division (E) of section 2151.358, division (D) (2) of section 652  
2953.37, or division (G) of section 2953.38 of the Revised Code 653  
directing that all official records of a case pertaining to a 654  
conviction or delinquent child adjudication be expunged: 655

(1) Every law enforcement officer who possesses 656  
investigatory work product immediately shall deliver that work 657  
product to the law enforcement officer's employing law 658  
enforcement agency. 659

(2) Except as provided in division (B) (3) or (4) of this 660  
section, every law enforcement agency that possesses 661  
investigatory work product shall close that work product to all 662  
persons who are not directly employed by the law enforcement 663  
agency and shall treat that work product, in relation to all 664  
persons other than those who are directly employed by the law 665  
enforcement agency, as if it did not exist and never had 666  
existed. 667

(3) A law enforcement agency that possesses investigatory 668  
work product may permit another law enforcement agency to use 669  
that work product in the investigation of another offense if the 670  
facts incident to the offense being investigated by the other 671  
law enforcement agency and the facts incident to an offense that 672  
is the subject of the case are reasonably similar. The agency 673  
that permits the use of investigatory work product may provide 674  
the other agency with the name of the person who is the subject 675  
of the case if it believes that the name of the person is 676  
necessary to the conduct of the investigation by the other 677  
agency. 678

(4) The auditor of state may provide to or discuss with 679  
other parties investigatory work product maintained pursuant to 680  
Chapter 117. of the Revised Code by the auditor of state. 681

(C) (1) Except as provided in division (B) (3) or (4) of 682  
this section, no law enforcement officer or other person 683  
employed by a law enforcement agency shall knowingly release, 684  
disseminate, or otherwise make the investigatory work product or 685  
any information contained in that work product available to, or 686  
discuss any information contained in it with, any person not 687  
employed by the employing law enforcement agency. 688

(2) No law enforcement agency, or person employed by a law 689  
enforcement agency, that receives investigatory work product 690  
pursuant to division (B) (3) or (4) of this section shall use 691  
that work product for any purpose other than the investigation 692  
of the offense for which it was obtained from the other law 693  
enforcement agency, or disclose the name of the person who is 694  
the subject of the work product except when necessary for the 695  
conduct of the investigation of the offense, or the prosecution 696  
of the person for committing the offense, for which it was 697  
obtained from the other law enforcement agency. 698

(3) It is not a violation of division (C) (1) or (2) of 699  
this section for the bureau of criminal identification and 700  
investigation or any authorized employee of the bureau 701  
participating in the investigation of criminal activity to 702  
release, disseminate, or otherwise make available to, or discuss 703  
with, a person directly employed by a law enforcement agency DNA 704  
records collected in the DNA database or fingerprints filed for 705  
record by the superintendent of the bureau of criminal 706  
identification and investigation. 707

(D) Whoever violates division (C) (1) or (2) of this 708



section is guilty of divulging confidential investigatory work 709  
product, a misdemeanor of the fourth degree. 710

**Sec. 2953.36.** (A) Except as otherwise provided in division 711  
(B) of this section, sections 2953.31 to 2953.35 of the Revised 712  
Code do not apply to any of the following: 713

(1) Convictions when the offender is subject to a 714  
mandatory prison term; 715

(2) Convictions under section 2907.02, 2907.03, 2907.04, 716  
2907.05, 2907.06, 2907.321, 2907.322, or 2907.323, former 717  
section 2907.12, or Chapter 4506., 4507., 4510., 4511., or 4549. 718  
of the Revised Code, or a conviction for a violation of a 719  
municipal ordinance that is substantially similar to any section 720  
contained in any of those chapters, except as otherwise provided 721  
in section 2953.61 of the Revised Code; 722

(3) Convictions of an offense of violence when the offense 723  
is a misdemeanor of the first degree or a felony and when the 724  
offense is not a violation of section 2917.03 of the Revised 725  
Code and is not a violation of section 2903.13, 2917.01, or 726  
2917.31 of the Revised Code that is a misdemeanor of the first 727  
degree; 728

(4) Convictions on or after October 10, 2007, under 729  
section 2907.07 of the Revised Code or a conviction on or after 730  
October 10, 2007, for a violation of a municipal ordinance that 731  
is substantially similar to that section; 732

(5) Convictions on or after October 10, 2007, under 733  
section 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.31, 734  
2907.311, 2907.32, or 2907.33 of the Revised Code when the 735  
victim of the offense was under eighteen years of age; 736

(6) Convictions of an offense in circumstances in which 737

the victim of the offense was less than sixteen years of age 738  
when the offense is a misdemeanor of the first degree or a 739  
felony, except for convictions under section 2919.21 of the 740  
Revised Code; 741

(7) Convictions of a felony of the first or second degree; 742

(8) Bail forfeitures in a traffic case as defined in 743  
Traffic Rule 2; 744

(9) Convictions of theft in office in violation of section 745  
2921.41 of the Revised Code. 746

(B) Sections 2953.31 to 2953.35 of the Revised Code apply 747  
to a conviction listed in this section if, on the date of the 748  
conviction, those sections did not apply to the conviction, but 749  
after the date of the conviction, the penalty for or 750  
classification of the offense was changed so that those sections 751  
apply to the conviction. 752

**Sec. 2953.51.** As used in sections 2953.51 to 2953.56 of 753  
the Revised Code: 754

(A) "No bill" means a report by the foreperson or deputy 755  
foreperson of a grand jury that an indictment is not found by 756  
the grand jury against a person who has been held to answer 757  
before the grand jury for the commission of an offense. 758

(B) "Prosecutor" has the same meaning as in section 759  
2953.31 of the Revised Code. 760

(C) "Court" means the court in which a case is pending at 761  
the time a finding of not guilty in the case or a dismissal of 762  
the complaint, indictment, or information in the case is entered 763  
on the minutes or journal of the court, or the court to which 764  
the foreperson or deputy foreperson of a grand jury reports, 765

pursuant to section 2939.23 of the Revised Code, that the grand jury has returned a no bill. 766  
767

(D) "Official records" means all records that are 768  
possessed by any public office or agency that relate to a 769  
criminal case, including, but not limited to: the notation to 770  
the case in the criminal docket; all subpoenas issued in the 771  
case; all papers and documents filed by the defendant or the 772  
prosecutor in the case; all records of all testimony and 773  
evidence presented in all proceedings in the case; all court 774  
files, papers, documents, folders, entries, affidavits, or writs 775  
that pertain to the case; all computer, microfilm, microfiche, 776  
or microdot records, indices, or references to the case; all 777  
index references to the case; all fingerprints and photographs; 778  
all DNA specimens, DNA records, and DNA profiles; all records 779  
and investigative reports pertaining to the case that are 780  
possessed by any law enforcement officer or agency, except that 781  
any records or reports that are the specific investigatory work 782  
product of a law enforcement officer or agency are not and shall 783  
not be considered to be official records when they are in the 784  
possession of that officer or agency; and all investigative 785  
records and reports other than those possessed by a law 786  
enforcement officer or agency pertaining to the case. "Official 787  
records" does not include any of the following: 788

(1) Records or reports maintained pursuant to section 789  
2151.421 of the Revised Code by a public children services 790  
agency or the department of job and family services; 791

(2) Any report of an investigation maintained by the 792  
inspector general pursuant to section 121.42 of the Revised 793  
Code, to the extent that the report contains information that 794  
pertains to an individual who was convicted of or pleaded guilty 795

to an offense discovered in or related to the investigation and 796  
whose conviction or guilty plea was not overturned on appeal; 797

(3) Records, reports, or audits maintained by the auditor 798  
of state pursuant to Chapter 117. of the Revised Code. 799

(E) "DNA database," "DNA record," "DNA specimen," and "law 800  
enforcement agency" have the same meanings as in section 109.573 801  
of the Revised Code. 802

(F) "Fingerprints filed for record" has the same meaning 803  
as in section 2953.31 of the Revised Code. 804

**Sec. 2953.54.** (A) Except as otherwise provided in Chapter 805  
2950. of the Revised Code, upon the issuance of an order by a 806  
court under division (B) of section 2953.52 of the Revised Code 807  
directing that all official records pertaining to a case be 808  
sealed and that the proceedings in the case be deemed not to 809  
have occurred: 810

(1) Every law enforcement officer possessing records or 811  
reports pertaining to the case that are the officer's specific 812  
investigatory work product and that are excepted from the 813  
definition of "official records" contained in section 2953.51 of 814  
the Revised Code shall immediately deliver the records and 815  
reports to the officer's employing law enforcement agency. 816  
Except as provided in division (A) (3) or (4) of this section, no 817  
such officer shall knowingly release, disseminate, or otherwise 818  
make the records and reports or any information contained in 819  
them available to, or discuss any information contained in them 820  
with, any person not employed by the officer's employing law 821  
enforcement agency. 822

(2) Every law enforcement agency that possesses records or 823  
reports pertaining to the case that are its specific 824

investigatory work product and that are excepted from the 825  
definition of "official records" contained in section 2953.51 of 826  
the Revised Code, or that are the specific investigatory work 827  
product of a law enforcement officer it employs and that were 828  
delivered to it under division (A) (1) of this section shall, 829  
except as provided in division (A) (3) or (4) of this section, 830  
close the records and reports to all persons who are not 831  
directly employed by the law enforcement agency and shall, 832  
except as provided in division (A) (3) or (4) of this section, 833  
treat the records and reports, in relation to all persons other 834  
than those who are directly employed by the law enforcement 835  
agency, as if they did not exist and had never existed. Except 836  
as provided in division (A) (3) or (4) of this section, no person 837  
who is employed by the law enforcement agency shall knowingly 838  
release, disseminate, or otherwise make the records and reports 839  
in the possession of the employing law enforcement agency or any 840  
information contained in them available to, or discuss any 841  
information contained in them with, any person not employed by 842  
the employing law enforcement agency. 843

(3) A law enforcement agency that possesses records or 844  
reports pertaining to the case that are its specific 845  
investigatory work product and that are excepted from the 846  
definition of "official records" contained in division (D) of 847  
section 2953.51 of the Revised Code, or that are the specific 848  
investigatory work product of a law enforcement officer it 849  
employs and that were delivered to it under division (A) (1) of 850  
this section may permit another law enforcement agency to use 851  
the records or reports in the investigation of another offense, 852  
if the facts incident to the offense being investigated by the 853  
other law enforcement agency and the facts incident to an 854  
offense that is the subject of the case are reasonably similar. 855

The agency that provides the records and reports may provide the 856  
other agency with the name of the person who is the subject of 857  
the case, if it believes that the name of the person is 858  
necessary to the conduct of the investigation by the other 859  
agency. 860

No law enforcement agency, or person employed by a law 861  
enforcement agency, that receives from another law enforcement 862  
agency records or reports pertaining to a case the records of 863  
which have been ordered sealed pursuant to division (B) of 864  
section 2953.52 of the Revised Code shall use the records and 865  
reports for any purpose other than the investigation of the 866  
offense for which they were obtained from the other law 867  
enforcement agency, or disclose the name of the person who is 868  
the subject of the records or reports except when necessary for 869  
the conduct of the investigation of the offense, or the 870  
prosecution of the person for committing the offense, for which 871  
they were obtained from the other law enforcement agency. 872

(4) The auditor of state may provide to or discuss with 873  
other parties records, reports, or audits maintained by the 874  
auditor of state pursuant to Chapter 117. of the Revised Code 875  
pertaining to the case that are the auditor of state's specific 876  
investigatory work product and that are excepted from the 877  
definition of "official records" contained in division (D) of 878  
section 2953.51 of the Revised Code, or that are the specific 879  
investigatory work product of a law enforcement officer the 880  
auditor of state employs and that were delivered to the auditor 881  
of state under division (A)(1) of this section. 882

(B) Whoever violates division (A)(1), (2), or (3) of this 883  
section is guilty of divulging confidential information, a 884  
misdemeanor of the fourth degree. 885

(C) It is not a violation of this section for the bureau 886  
of criminal identification and investigation or any authorized 887  
employee of the bureau participating in the investigation of 888  
criminal activity to release, disseminate, or otherwise make 889  
available to, or discuss with, a person directly employed by a 890  
law enforcement agency DNA records collected in the DNA database 891  
or fingerprints filed for record by the superintendent of the 892  
bureau of criminal identification and investigation. 893

**Sec. 5747.12.** (A) If a person entitled to a refund under 894  
section 5747.11 or 5747.13 of the Revised Code is indebted to 895  
this state for any of the following, the amount refundable may 896  
be applied in satisfaction of the debt: 897

(1) To this state for any tax, workers' compensation 898  
premium due under section 4123.35 of the Revised Code, or 899  
unemployment compensation contribution due under section 4141.25 900  
of the Revised Code;i 901

(2) To the state or a political subdivision for a 902  
certified claim under section 131.02 or 131.021 of the Revised 903  
Code; or a finding for recovery included in a certified report 904  
that has been filed with the attorney general pursuant to 905  
sections 117.28 and 117.30 of the Revised Code; 906

(3) For a fee that is paid to the state or to the clerk of 907  
courts pursuant to section 4505.06 of the Revised Code;~~or;~~ 908

(4) For any charge, penalty, collection cost, or interest 909  
arising from such a tax, workers' compensation premium, 910  
unemployment compensation contribution, certified claim, or fee, 911  
the amount refundable may be applied in satisfaction of the 912  
debt a debt listed in divisions (A) (1) to (3) of this section. If 913

(B) If the amount refundable is less than the amount of 914

the debt owed under division (A) of this section, it may be 915  
applied in partial satisfaction of the debt. If the amount 916  
refundable is greater than the amount of ~~the that~~ debt, the 917  
amount remaining after satisfaction of the debt shall be 918  
refunded. If the person has more than one ~~such~~ debt listed in 919  
division (A) of this section, any debt subject to section 920  
5739.33 or division (G) of section 5747.07 of the Revised Code 921  
or arising under section 5747.063 or 5747.064 of the Revised 922  
Code shall be satisfied first. ~~Except~~ 923

(C) Except as provided in section 131.021 of the Revised 924  
Code, this section applies only to debts that have become final. 925

(D) The tax commissioner may charge each respective agency 926  
of the state for the commissioner's cost in applying refunds to 927  
debts due to the state and may charge the attorney general for 928  
the commissioner's cost in applying refunds to certified claims. 929  
~~The~~ 930

(E) The commissioner may promulgate rules to implement 931  
this section. The rules may address, among other things, 932  
situations such as those where persons may jointly be entitled 933  
to a refund but do not jointly owe a debt or certified claim. 934

(F) The commissioner may, with the consent of the 935  
taxpayer, provide for the crediting, against tax imposed under 936  
this chapter or Chapter 5748. of the Revised Code and due for 937  
any taxable year, of the amount of any refund due the taxpayer 938  
under this chapter or Chapter 5748. of the Revised Code, as 939  
appropriate, for a preceding taxable year. 940

**Section 2.** That existing sections 319.16, 2307.382, 941  
2921.41, 2953.32, 2953.321, 2953.36, 2953.51, 2953.54, and 942  
5747.12 of the Revised Code are hereby repealed. 943



**Section 3.** Section 2953.36 of the Revised Code is 944  
presented in this act as a composite of the section as amended 945  
by H.B. 53, H.B. 56, and H.B. 164, all of the 131st General 946  
Assembly. The General Assembly, applying the principle stated in 947  
division (B) of section 1.52 of the Revised Code that amendments 948  
are to be harmonized if reasonably capable of simultaneous 949  
operation, finds that the composite is the resulting version of 950  
the section in effect prior to the effective date of the section 951  
as presented in this act. 952

**Section 4.** That Section 22 of H.B. 197 of the 133rd 953  
General Assembly be amended to read as follows: 954

**Sec. 22.** (A) The following that are set to expire between 955  
March 9, 2020, and July 30, 2020, shall be tolled: 956

(1) A statute of limitation, as follows: 957

(a) For any criminal offense, notwithstanding any other 958  
provision of law to the contrary, the applicable period of 959  
limitation set forth in section 2901.13 of the Revised Code for 960  
the criminal offense; 961

(b) When a civil cause of action accrues against a person, 962  
notwithstanding any other provision of law to the contrary, the 963  
period of limitation for commencement of the action as provided 964  
under any section in Chapter 2305. of the Revised Code, or under 965  
any other provision of the Revised Code that applies to the 966  
cause of action; 967

(c) For any administrative action or proceeding, the 968  
period of limitation for the action or proceeding as provided 969  
under the Revised Code or the Administrative Code, if 970  
applicable. 971

(2) The time within which a bill of indictment or an 972

accusation must be returned or the time within which a matter	973
must be brought before a grand jury;	974
(3) The time within which an accused person must be	975
brought to trial or, in the case of a felony, to a preliminary	976
hearing and trial;	977
(4) Time deadlines and other schedule requirements	978
regarding a juvenile, including detaining a juvenile;	979
(5) The time within which a commitment hearing must be	980
held;	981
(6) The time by which a warrant must be issued;	982
(7) The time within which discovery or any aspect of	983
discovery must be completed;	984
(8) The time within which a party must be served;	985
(9) The time within which an appearance regarding a	986
dissolution of marriage must occur pursuant to section 3105.64	987
of the Revised Code;	988
(10) Any other criminal, civil, or administrative time	989
limitation under the Revised Code.	990
(B) This section applies retroactively to the date of the	991
emergency declared by Executive Order 2020-01D, issued on March	992
9, 2020.	993
(C) Division (A) of this section expires on <del>the date the</del>	994
<del>period of emergency ends or July 30, 2020, whichever is sooner.</del>	995
<u>(D) The time period from March 9, 2020, to July 30, 2020,</u>	996
<u>shall not be computed as part of the periods of limitation and</u>	997
<u>time limitations described in division (A) of this section.</u>	998
<b>Section 5.</b> That existing Section 22 of H.B. 197 of the	999

133rd General Assembly is hereby repealed. 1000

**Section 6.** Sections 1, 2, and 3 of this act take effect 1001  
ninety days after the effective date of this section. 1002

**Section 7.** This act is hereby declared to be an emergency 1003  
measure necessary for the immediate preservation of the public 1004  
peace, health, and safety. The reason for such necessity is to 1005  
respond to the declared pandemic and global health emergency 1006  
related to COVID-19. Therefore, this act shall go into immediate 1007  
effect. 1008