

As Introduced

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

S. B. No. 373

Senator Hackett

A BILL

To amend sections 109.572 and 2717.01; to amend, 1
for the purpose of adopting a new section number 2
as indicated in parentheses, section 2717.01 3
(2717.03); and to enact new section 2717.01 and 4
sections 2717.04, 2717.05, 2717.06, 2717.07, 5
2717.08, 2717.09, 2717.10, 2717.13, 2717.14, 6
2717.15, 2717.16, 2717.17, 2717.18, 2717.20, 7
2717.21, and 2717.22 of the Revised Code 8
regarding probate court procedures to change a 9
legal name and correct legal name errors in a 10
person's official identity documents. 11

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

Section 1. That sections 109.572 and 2717.01 be amended; 12
section 2717.01 (2717.03) be amended for the purpose of adopting 13
a new section number as indicated in parentheses; and new 14
section 2717.01 and sections 2717.04, 2717.05, 2717.06, 2717.07, 15
2717.08, 2717.09, 2717.10, 2717.13, 2717.14, 2717.15, 2717.16, 16
2717.17, 2717.18, 2717.20, 2717.21, and 2717.22 of the Revised 17
Code be enacted to read as follows: 18

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 19

section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(1)(a) of this section;

(c) If the request is made pursuant to section 3319.39 of 50
the Revised Code for an applicant who is a teacher, any offense 51
specified in section 3319.31 of the Revised Code. 52

(2) On receipt of a request pursuant to section 3712.09 or 53
3721.121 of the Revised Code, a completed form prescribed 54
pursuant to division (C)(1) of this section, and a set of 55
fingerprint impressions obtained in the manner described in 56
division (C)(2) of this section, the superintendent of the 57
bureau of criminal identification and investigation shall 58
conduct a criminal records check with respect to any person who 59
has applied for employment in a position for which a criminal 60
records check is required by those sections. The superintendent 61
shall conduct the criminal records check in the manner described 62
in division (B) of this section to determine whether any 63
information exists that indicates that the person who is the 64
subject of the request previously has been convicted of or 65
pleaded guilty to any of the following: 66

(a) A violation of section 2903.01, 2903.02, 2903.03, 67
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 68
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 69
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 70
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 71
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 72
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 73
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 74
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 75

(b) An existing or former law of this state, any other 76
state, or the United States that is substantially equivalent to 77
any of the offenses listed in division (A)(2)(a) of this 78
section. 79

(3) On receipt of a request pursuant to section 173.27, 80
173.38, 173.381, 3701.881, 5119.34, 5164.34, 5164.341, 5164.342, 81
5123.081, or 5123.169 of the Revised Code, a completed form 82
prescribed pursuant to division (C)(1) of this section, and a 83
set of fingerprint impressions obtained in the manner described 84
in division (C)(2) of this section, the superintendent of the 85
bureau of criminal identification and investigation shall 86
conduct a criminal records check of the person for whom the 87
request is made. The superintendent shall conduct the criminal 88
records check in the manner described in division (B) of this 89
section to determine whether any information exists that 90
indicates that the person who is the subject of the request 91
previously has been convicted of, has pleaded guilty to, or 92
(except in the case of a request pursuant to section 5164.34, 93
5164.341, or 5164.342 of the Revised Code) has been found 94
eligible for intervention in lieu of conviction for any of the 95
following, regardless of the date of the conviction, the date of 96
entry of the guilty plea, or (except in the case of a request 97
pursuant to section 5164.34, 5164.341, or 5164.342 of the 98
Revised Code) the date the person was found eligible for 99
intervention in lieu of conviction: 100

(a) A violation of section 959.13, 959.131, 2903.01, 101
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 102
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 103
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 104
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 105
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 106
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 107
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 108
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 109
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 110

2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48,	111
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12,	112
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03,	113
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321,	114
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123,	115
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02,	116
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11,	117
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36,	118
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;	119
(b) Felonious sexual penetration in violation of former	120
section 2907.12 of the Revised Code;	121
(c) A violation of section 2905.04 of the Revised Code as	122
it existed prior to July 1, 1996;	123
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	124
the Revised Code when the underlying offense that is the object	125
of the conspiracy, attempt, or complicity is one of the offenses	126
listed in divisions (A) (3) (a) to (c) of this section;	127
(e) A violation of an existing or former municipal	128
ordinance or law of this state, any other state, or the United	129
States that is substantially equivalent to any of the offenses	130
listed in divisions (A) (3) (a) to (d) of this section.	131
(4) On receipt of a request pursuant to section 2151.86 or	132
2151.904 of the Revised Code, a completed form prescribed	133
pursuant to division (C) (1) of this section, and a set of	134
fingerprint impressions obtained in the manner described in	135
division (C) (2) of this section, the superintendent of the	136
bureau of criminal identification and investigation shall	137
conduct a criminal records check in the manner described in	138
division (B) of this section to determine whether any	139

information exists that indicates that the person who is the 140
subject of the request previously has been convicted of or 141
pleaded guilty to any of the following: 142

(a) A violation of section 959.13, 2903.01, 2903.02, 143
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 144
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 145
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 146
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 147
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 148
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 149
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 150
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 151
2927.12, or 3716.11 of the Revised Code, a violation of section 152
2905.04 of the Revised Code as it existed prior to July 1, 1996, 153
a violation of section 2919.23 of the Revised Code that would 154
have been a violation of section 2905.04 of the Revised Code as 155
it existed prior to July 1, 1996, had the violation been 156
committed prior to that date, a violation of section 2925.11 of 157
the Revised Code that is not a minor drug possession offense, 158
two or more OVI or OVUAC violations committed within the three 159
years immediately preceding the submission of the application or 160
petition that is the basis of the request, or felonious sexual 161
penetration in violation of former section 2907.12 of the 162
Revised Code; 163

(b) A violation of an existing or former law of this 164
state, any other state, or the United States that is 165
substantially equivalent to any of the offenses listed in 166
division (A) (4) (a) of this section. 167

(5) Upon receipt of a request pursuant to section 5104.013 168
of the Revised Code, a completed form prescribed pursuant to 169

division (C) (1) of this section, and a set of fingerprint 170
impressions obtained in the manner described in division (C) (2) 171
of this section, the superintendent of the bureau of criminal 172
identification and investigation shall conduct a criminal 173
records check in the manner described in division (B) of this 174
section to determine whether any information exists that 175
indicates that the person who is the subject of the request has 176
been convicted of or pleaded guilty to any of the following: 177

(a) A violation of section 2151.421, 2903.01, 2903.02, 178
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 179
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 180
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 181
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 182
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 183
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 184
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 185
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 186
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 187
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 188
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 189
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 190
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 191
3716.11 of the Revised Code, felonious sexual penetration in 192
violation of former section 2907.12 of the Revised Code, a 193
violation of section 2905.04 of the Revised Code as it existed 194
prior to July 1, 1996, a violation of section 2919.23 of the 195
Revised Code that would have been a violation of section 2905.04 196
of the Revised Code as it existed prior to July 1, 1996, had the 197
violation been committed prior to that date, a violation of 198
section 2925.11 of the Revised Code that is not a minor drug 199
possession offense, a violation of section 2923.02 or 2923.03 of 200

the Revised Code that relates to a crime specified in this 201
division, or a second violation of section 4511.19 of the 202
Revised Code within five years of the date of application for 203
licensure or certification. 204

(b) A violation of an existing or former law of this 205
state, any other state, or the United States that is 206
substantially equivalent to any of the offenses or violations 207
described in division (A) (5) (a) of this section. 208

(6) Upon receipt of a request pursuant to section 5153.111 209
of the Revised Code, a completed form prescribed pursuant to 210
division (C) (1) of this section, and a set of fingerprint 211
impressions obtained in the manner described in division (C) (2) 212
of this section, the superintendent of the bureau of criminal 213
identification and investigation shall conduct a criminal 214
records check in the manner described in division (B) of this 215
section to determine whether any information exists that 216
indicates that the person who is the subject of the request 217
previously has been convicted of or pleaded guilty to any of the 218
following: 219

(a) A violation of section 2903.01, 2903.02, 2903.03, 220
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 221
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 222
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 223
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 224
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 225
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 226
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 227
Code, felonious sexual penetration in violation of former 228
section 2907.12 of the Revised Code, a violation of section 229
2905.04 of the Revised Code as it existed prior to July 1, 1996, 230

a violation of section 2919.23 of the Revised Code that would 231
have been a violation of section 2905.04 of the Revised Code as 232
it existed prior to July 1, 1996, had the violation been 233
committed prior to that date, or a violation of section 2925.11 234
of the Revised Code that is not a minor drug possession offense; 235

(b) A violation of an existing or former law of this 236
state, any other state, or the United States that is 237
substantially equivalent to any of the offenses listed in 238
division (A) (6) (a) of this section. 239

(7) On receipt of a request for a criminal records check 240
from an individual pursuant to section 4749.03 or 4749.06 of the 241
Revised Code, accompanied by a completed copy of the form 242
prescribed in division (C) (1) of this section and a set of 243
fingerprint impressions obtained in a manner described in 244
division (C) (2) of this section, the superintendent of the 245
bureau of criminal identification and investigation shall 246
conduct a criminal records check in the manner described in 247
division (B) of this section to determine whether any 248
information exists indicating that the person who is the subject 249
of the request has been convicted of or pleaded guilty to a 250
felony in this state or in any other state. If the individual 251
indicates that a firearm will be carried in the course of 252
business, the superintendent shall require information from the 253
federal bureau of investigation as described in division (B) (2) 254
of this section. Subject to division (F) of this section, the 255
superintendent shall report the findings of the criminal records 256
check and any information the federal bureau of investigation 257
provides to the director of public safety. 258

(8) On receipt of a request pursuant to section 1321.37, 259
1321.53, or 4763.05 of the Revised Code, a completed form 260

prescribed pursuant to division (C)(1) of this section, and a 261
set of fingerprint impressions obtained in the manner described 262
in division (C)(2) of this section, the superintendent of the 263
bureau of criminal identification and investigation shall 264
conduct a criminal records check with respect to any person who 265
has applied for a license, permit, or certification from the 266
department of commerce or a division in the department. The 267
superintendent shall conduct the criminal records check in the 268
manner described in division (B) of this section to determine 269
whether any information exists that indicates that the person 270
who is the subject of the request previously has been convicted 271
of or pleaded guilty to any of the following: a violation of 272
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 273
Revised Code; any other criminal offense involving theft, 274
receiving stolen property, embezzlement, forgery, fraud, passing 275
bad checks, money laundering, or drug trafficking, or any 276
criminal offense involving money or securities, as set forth in 277
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 278
the Revised Code; or any existing or former law of this state, 279
any other state, or the United States that is substantially 280
equivalent to those offenses. 281

(9) On receipt of a request for a criminal records check 282
from the treasurer of state under section 113.041 of the Revised 283
Code or from an individual under section 928.03, 4701.08, 284
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 285
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 286
4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 287
4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.202, 288
4751.21, 4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 289
4760.06, 4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 290
4776.021, 4778.04, 4778.07, 4779.091, or 4783.04 of the Revised 291

Code, accompanied by a completed form prescribed under division 292
(C) (1) of this section and a set of fingerprint impressions 293
obtained in the manner described in division (C) (2) of this 294
section, the superintendent of the bureau of criminal 295
identification and investigation shall conduct a criminal 296
records check in the manner described in division (B) of this 297
section to determine whether any information exists that 298
indicates that the person who is the subject of the request has 299
been convicted of or pleaded guilty to any criminal offense in 300
this state or any other state. Subject to division (F) of this 301
section, the superintendent shall send the results of a check 302
requested under section 113.041 of the Revised Code to the 303
treasurer of state and shall send the results of a check 304
requested under any of the other listed sections to the 305
licensing board specified by the individual in the request. 306

(10) On receipt of a request pursuant to section 124.74, 307
718.131, 1121.23, 1315.141, 1733.47, or 1761.26 of the Revised 308
Code, a completed form prescribed pursuant to division (C) (1) of 309
this section, and a set of fingerprint impressions obtained in 310
the manner described in division (C) (2) of this section, the 311
superintendent of the bureau of criminal identification and 312
investigation shall conduct a criminal records check in the 313
manner described in division (B) of this section to determine 314
whether any information exists that indicates that the person 315
who is the subject of the request previously has been convicted 316
of or pleaded guilty to any criminal offense under any existing 317
or former law of this state, any other state, or the United 318
States. 319

(11) On receipt of a request for a criminal records check 320
from an appointing or licensing authority under section 3772.07 321
of the Revised Code, a completed form prescribed under division 322

(C) (1) of this section, and a set of fingerprint impressions 323
obtained in the manner prescribed in division (C) (2) of this 324
section, the superintendent of the bureau of criminal 325
identification and investigation shall conduct a criminal 326
records check in the manner described in division (B) of this 327
section to determine whether any information exists that 328
indicates that the person who is the subject of the request 329
previously has been convicted of or pleaded guilty or no contest 330
to any offense under any existing or former law of this state, 331
any other state, or the United States that is a disqualifying 332
offense as defined in section 3772.07 of the Revised Code or 333
substantially equivalent to such an offense. 334

(12) On receipt of a request pursuant to section 2151.33 335
or 2151.412 of the Revised Code, a completed form prescribed 336
pursuant to division (C) (1) of this section, and a set of 337
fingerprint impressions obtained in the manner described in 338
division (C) (2) of this section, the superintendent of the 339
bureau of criminal identification and investigation shall 340
conduct a criminal records check with respect to any person for 341
whom a criminal records check is required under that section. 342
The superintendent shall conduct the criminal records check in 343
the manner described in division (B) of this section to 344
determine whether any information exists that indicates that the 345
person who is the subject of the request previously has been 346
convicted of or pleaded guilty to any of the following: 347

(a) A violation of section 2903.01, 2903.02, 2903.03, 348
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 349
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 350
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 351
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 352
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 353

2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 354
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 355
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 356

(b) An existing or former law of this state, any other 357
state, or the United States that is substantially equivalent to 358
any of the offenses listed in division (A)(12)(a) of this 359
section. 360

(13) On receipt of a request pursuant to section 3796.12 361
of the Revised Code, a completed form prescribed pursuant to 362
division (C)(1) of this section, and a set of fingerprint 363
impressions obtained in a manner described in division (C)(2) of 364
this section, the superintendent of the bureau of criminal 365
identification and investigation shall conduct a criminal 366
records check in the manner described in division (B) of this 367
section to determine whether any information exists that 368
indicates that the person who is the subject of the request 369
previously has been convicted of or pleaded guilty to the 370
following: 371

(a) A disqualifying offense as specified in rules adopted 372
under division (B)(2)(b) of section 3796.03 of the Revised Code 373
if the person who is the subject of the request is an 374
administrator or other person responsible for the daily 375
operation of, or an owner or prospective owner, officer or 376
prospective officer, or board member or prospective board member 377
of, an entity seeking a license from the department of commerce 378
under Chapter 3796. of the Revised Code; 379

(b) A disqualifying offense as specified in rules adopted 380
under division (B)(2)(b) of section 3796.04 of the Revised Code 381
if the person who is the subject of the request is an 382
administrator or other person responsible for the daily 383

operation of, or an owner or prospective owner, officer or 384
prospective officer, or board member or prospective board member 385
of, an entity seeking a license from the state board of pharmacy 386
under Chapter 3796. of the Revised Code. 387

(14) On receipt of a request required by section 3796.13 388
of the Revised Code, a completed form prescribed pursuant to 389
division (C)(1) of this section, and a set of fingerprint 390
impressions obtained in a manner described in division (C)(2) of 391
this section, the superintendent of the bureau of criminal 392
identification and investigation shall conduct a criminal 393
records check in the manner described in division (B) of this 394
section to determine whether any information exists that 395
indicates that the person who is the subject of the request 396
previously has been convicted of or pleaded guilty to the 397
following: 398

(a) A disqualifying offense as specified in rules adopted 399
under division (B)(8)(a) of section 3796.03 of the Revised Code 400
if the person who is the subject of the request is seeking 401
employment with an entity licensed by the department of commerce 402
under Chapter 3796. of the Revised Code; 403

(b) A disqualifying offense as specified in rules adopted 404
under division (B)(14)(a) of section 3796.04 of the Revised Code 405
if the person who is the subject of the request is seeking 406
employment with an entity licensed by the state board of 407
pharmacy under Chapter 3796. of the Revised Code. 408

(15) On receipt of a request pursuant to section 4768.06 409
of the Revised Code, a completed form prescribed under division 410
(C)(1) of this section, and a set of fingerprint impressions 411
obtained in the manner described in division (C)(2) of this 412
section, the superintendent of the bureau of criminal 413

identification and investigation shall conduct a criminal 414
records check in the manner described in division (B) of this 415
section to determine whether any information exists indicating 416
that the person who is the subject of the request has been 417
convicted of or pleaded guilty to a felony in this state or in 418
any other state. 419

(16) On receipt of a request pursuant to division (B) of 420
section 4764.07 or division (A) of section 4735.143 of the 421
Revised Code, a completed form prescribed under division (C) (1) 422
of this section, and a set of fingerprint impressions obtained 423
in the manner described in division (C) (2) of this section, the 424
superintendent of the bureau of criminal identification and 425
investigation shall conduct a criminal records check in the 426
manner described in division (B) of this section to determine 427
whether any information exists indicating that the person who is 428
the subject of the request has been convicted of or pleaded 429
guilty to any crime of moral turpitude, a felony, or an 430
equivalent offense in any other state or the United States. 431

(17) On receipt of a request for a criminal records check 432
under section 147.022 of the Revised Code, a completed form 433
prescribed under division (C) (1) of this section, and a set of 434
fingerprint impressions obtained in the manner prescribed in 435
division (C) (2) of this section, the superintendent of the 436
bureau of criminal identification and investigation shall 437
conduct a criminal records check in the manner described in 438
division (B) of this section to determine whether any 439
information exists that indicates that the person who is the 440
subject of the request previously has been convicted of or 441
pleaded guilty or no contest to any disqualifying offense, as 442
defined in section 147.011 of the Revised Code, or to any 443
offense under any existing or former law of this state, any 444

other state, or the United States that is substantially 445
equivalent to such a disqualifying offense. 446

(18) On receipt of a request pursuant to section 2717.21 447
of the Revised Code, a completed form prescribed under division 448
(C) (1) of this section, and a set of fingerprint impressions 449
obtained in the manner described in division (C) (2) of this 450
section, the superintendent of the bureau of criminal 451
identification and investigation shall conduct a criminal 452
records check in the manner described in division (B) of this 453
section to determine whether any information exists indicating 454
that the person who is the subject of the request has been 455
convicted of or pleaded guilty to any misdemeanor or felony or 456
an equivalent offense in any other state or the United States. 457

(B) Subject to division (F) of this section, the 458
superintendent shall conduct any criminal records check to be 459
conducted under this section as follows: 460

(1) The superintendent shall review or cause to be 461
reviewed any relevant information gathered and compiled by the 462
bureau under division (A) of section 109.57 of the Revised Code 463
that relates to the person who is the subject of the criminal 464
records check, including, if the criminal records check was 465
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 466
173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 467
1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 468
3712.09, 3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 469
4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 470
5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 471
5153.111 of the Revised Code, any relevant information contained 472
in records that have been sealed under section 2953.32 of the 473
Revised Code; 474

(2) If the request received by the superintendent asks for information from the federal bureau of investigation, the superintendent shall request from the federal bureau of investigation any information it has with respect to the person who is the subject of the criminal records check, including fingerprint-based checks of national crime information databases as described in 42 U.S.C. 671 if the request is made pursuant to section 2151.86 or 5104.013 of the Revised Code or if any other Revised Code section requires fingerprint-based checks of that nature, and shall review or cause to be reviewed any information the superintendent receives from that bureau. If a request under section 3319.39 of the Revised Code asks only for information from the federal bureau of investigation, the superintendent shall not conduct the review prescribed by division (B)(1) of this section.

(3) The superintendent or the superintendent's designee may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code.

(4) The superintendent shall include in the results of the criminal records check a list or description of the offenses listed or described in division (A)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), or (17) of this section, whichever division requires the superintendent to conduct the criminal records check. The superintendent shall exclude from the results any information the dissemination of which is prohibited by federal law.

(5) The superintendent shall send the results of the criminal records check to the person to whom it is to be sent

not later than the following number of days after the date the 505
superintendent receives the request for the criminal records 506
check, the completed form prescribed under division (C) (1) of 507
this section, and the set of fingerprint impressions obtained in 508
the manner described in division (C) (2) of this section: 509

(a) If the superintendent is required by division (A) of 510
this section (other than division (A) (3) of this section) to 511
conduct the criminal records check, thirty; 512

(b) If the superintendent is required by division (A) (3) 513
of this section to conduct the criminal records check, sixty. 514

(C) (1) The superintendent shall prescribe a form to obtain 515
the information necessary to conduct a criminal records check 516
from any person for whom a criminal records check is to be 517
conducted under this section. The form that the superintendent 518
prescribes pursuant to this division may be in a tangible 519
format, in an electronic format, or in both tangible and 520
electronic formats. 521

(2) The superintendent shall prescribe standard impression 522
sheets to obtain the fingerprint impressions of any person for 523
whom a criminal records check is to be conducted under this 524
section. Any person for whom a records check is to be conducted 525
under this section shall obtain the fingerprint impressions at a 526
county sheriff's office, municipal police department, or any 527
other entity with the ability to make fingerprint impressions on 528
the standard impression sheets prescribed by the superintendent. 529
The office, department, or entity may charge the person a 530
reasonable fee for making the impressions. The standard 531
impression sheets the superintendent prescribes pursuant to this 532
division may be in a tangible format, in an electronic format, 533
or in both tangible and electronic formats. 534

(3) Subject to division (D) of this section, the superintendent shall prescribe and charge a reasonable fee for providing a criminal records check under this section. The person requesting the criminal records check shall pay the fee prescribed pursuant to this division. In the case of a request under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the fee shall be paid in the manner specified in that section.

(4) The superintendent of the bureau of criminal identification and investigation may prescribe methods of forwarding fingerprint impressions and information necessary to conduct a criminal records check, which methods shall include, but not be limited to, an electronic method.

(D) The results of a criminal records check conducted under this section, other than a criminal records check specified in division (A)(7) of this section, are valid for the person who is the subject of the criminal records check for a period of one year from the date upon which the superintendent completes the criminal records check. If during that period the superintendent receives another request for a criminal records check to be conducted under this section for that person, the superintendent shall provide the results from the previous criminal records check of the person at a lower fee than the fee prescribed for the initial criminal records check.

(E) When the superintendent receives a request for information from a registered private provider, the superintendent shall proceed as if the request was received from a school district board of education under section 3319.39 of the Revised Code. The superintendent shall apply division (A)(1)(c) of this section to any such request for an applicant who is

a teacher. 565

(F) (1) Subject to division (F) (2) of this section, all 566
information regarding the results of a criminal records check 567
conducted under this section that the superintendent reports or 568
sends under division (A) (7) or (9) of this section to the 569
director of public safety, the treasurer of state, or the 570
person, board, or entity that made the request for the criminal 571
records check shall relate to the conviction of the subject 572
person, or the subject person's plea of guilty to, a criminal 573
offense. 574

(2) Division (F) (1) of this section does not limit, 575
restrict, or preclude the superintendent's release of 576
information that relates to the arrest of a person who is 577
eighteen years of age or older, to an adjudication of a child as 578
a delinquent child, or to a criminal conviction of a person 579
under eighteen years of age in circumstances in which a release 580
of that nature is authorized under division (E) (2), (3), or (4) 581
of section 109.57 of the Revised Code pursuant to a rule adopted 582
under division (E) (1) of that section. 583

(G) As used in this section: 584

(1) "Criminal records check" means any criminal records 585
check conducted by the superintendent of the bureau of criminal 586
identification and investigation in accordance with division (B) 587
of this section. 588

(2) "Minor drug possession offense" has the same meaning 589
as in section 2925.01 of the Revised Code. 590

(3) "OVI or OVUAC violation" means a violation of section 591
4511.19 of the Revised Code or a violation of an existing or 592
former law of this state, any other state, or the United States 593

that is substantially equivalent to section 4511.19 of the Revised Code. 594
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(4) "Registered private provider" means a nonpublic school or entity registered with the superintendent of public instruction under section 3310.41 of the Revised Code to participate in the autism scholarship program or section 3310.58 of the Revised Code to participate in the Jon Peterson special needs scholarship program. 596
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Sec. 2717.01. As used in this chapter: 602

(A) "Application" means, as context requires, an application under section 2717.03, 2717.09, 2717.13, or 2717.17 of the Revised Code. 603
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(B) "Applicant" means, as context requires, a person who makes the filing required under section 2717.03 or 2717.13 of the Revised Code. 606
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(C) "Official identity document" means a birth record, marriage record, divorce decree, driver's license, state issued identification card, social security card with the social security number redacted, passport, or any other official government-issued document required or commonly used to verify a person's identity. 609
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(D) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code. 615
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Sec. 2717.01 2717.03. ~~(A) (1) A person desiring a change of name may file an application in the probate court of the county in which the person resides. The application shall set forth that the applicant has been a bona fide resident of that county for at least one year prior to the filing of the application,~~ 618
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~~the cause for which the change of name is sought, and the~~ 623
~~requested new name. The application shall require the applicant~~ 624
~~to state whether the applicant has been convicted of, pleaded~~ 625
~~guilty to, or been adjudicated a delinquent child for identity~~ 626
~~fraud or has a duty to comply with section 2950.04 or 2950.041~~ 627
~~of the Revised Code because the applicant was convicted of,~~ 628
~~pleaded guilty to, or was adjudicated a delinquent child for~~ 629
~~having committed a sexually oriented offense or a child victim-~~ 630
~~oriented offense.~~ 631

~~(2) Except as provided in division (A) (4) of this section,~~ 632
~~notice of the application shall be given once by publication in~~ 633
~~a newspaper of general circulation in the county at least thirty~~ 634
~~days before the hearing on the application. The notice shall set~~ 635
~~forth the court in which the application was filed, the case~~ 636
~~number, and the date and time of the hearing.~~ 637

~~(3) Except as provided by division (C) of this section,~~ 638
~~upon proof that proper notice was given or that notice was~~ 639
~~waived under division (A) (4) of this section and proof that the~~ 640
~~facts set forth in the application show reasonable and proper~~ 641
~~cause for changing the name of the applicant, the court may~~ 642
~~order the change of name.~~ 643

~~(4) If an applicant for a change of name submits to the~~ 644
~~court, along with the application described in division (A) (1)~~ 645
~~of this section, satisfactory proof that the publication of the~~ 646
~~notice under division (A) (2) of this section would jeopardize~~ 647
~~the applicant's personal safety, both of the following apply:~~ 648

~~(a) The court shall waive the notice requirement.~~ 649

~~(b) If the court orders the change of name under division~~ 650
~~(A) (3) of this section, the court shall order the records of the~~ 651

~~change of name proceeding to be sealed and to be opened only by
order of the court for good cause shown or at the request of the
applicant for any reason.~~ 652
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~~(B) An application for change of name may be made on
behalf of a minor by either of the minor's parents, a legal
guardian, or a guardian ad litem. When application is made on
behalf of a minor, in addition to the notice and proof required
pursuant to division (A) of this section, the consent of both
living, legal parents of the minor shall be filed, or notice of
the hearing shall be given to the parent or parents not
consenting by certified mail, return receipt requested. If there
is no known father of the minor, the notice shall be given to
the person who the mother of the minor alleges to be the father.
If no father is so alleged, or if either parent or the address
of either parent is unknown, notice pursuant to division (A) of
this section shall be sufficient as to the father or parent.~~ 655
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~~Any additional notice required by this division may be
waived in writing by any person entitled to the notice.~~ 668
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~~(C) (1) The court shall not order a change of name under
division (A) of this section if the person applying for a change
of name or for whom the application for a change of name is made
has a duty to comply with section 2950.04 or 2950.041 of the
Revised Code because the applicant or the person on whose behalf
the application for a change of name is made was convicted of,
pleaded guilty to, or was adjudicated a delinquent child for
having committed a sexually oriented offense or a child-victim-
oriented offense.~~ 670
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~~(2) The court shall not order a change of name under
division (A) of this section if the person applying for a change
of name or for whom the application for a change of name is made~~ 679
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~~has pleaded guilty to, been convicted of, or been adjudicated a delinquent child for committing a violation of section 2913.49 of the Revised Code unless the guilty plea, conviction, or adjudication has been reversed on appeal.~~

~~(3) As used in this division, "sexually oriented offense" and "child victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.~~

Sec. 2717.04. Subject to sections 2717.20 and 2717.21 of the Revised Code, an application for a change of name shall set forth all of the following:

(A) That the applicant has been a bona fide resident of the county for at least thirty days prior to the filing of the application;

(B) The reason for which the change of name is sought;

(C) The requested new name.

Sec. 2717.05. The application shall be supported by the applicant's affidavit verifying all of the following:

(A) The applicant's residency in the county for a period of at least thirty days;

(B) That the application is not made for the purpose of evading any creditors or other obligations;

(C) That the applicant is not a debtor in any currently pending bankruptcy proceeding;

(D) That the applicant has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud or has a duty to comply with section 2950.04 or 2950.041 of the Revised Code because the applicant was convicted of,

pleaded guilty to, or was adjudicated a delinquent child for 709
having committed a sexually oriented offense or a child-victim 710
oriented offense; 711

(E) That all of the documentary evidence submitted with 712
the application is true, accurate, and complete; 713

(F) Any other information the court may require. 714

Sec. 2717.06. The probate court may hold a hearing on the 715
application. Except as provided in section 2717.08 of the 716
Revised Code, if the court requires a hearing, it shall set the 717
manner, scope, and content of the hearing notice the applicant 718
must serve. 719

Sec. 2717.07. Except as provided under section 2717.10 of 720
the Revised Code, upon proof that the facts set forth in the 721
application show reasonable and proper cause for changing the 722
name of the applicant and, if applicable, upon proof that proper 723
notice was served, the court may order the change of name. 724

Sec. 2717.08. If an applicant for a change of name submits 725
to the court, along with the application described in section 726
2717.04 of the Revised Code, satisfactory proof that open 727
records of the name change or publication of the service of 728
hearing notice under section 2717.06 of the Revised Code would 729
jeopardize the applicant's personal safety, both of the 730
following apply: 731

(A) The court shall waive the hearing notice requirement. 732

(B) If the court orders the change of name under section 733
2717.07 of the Revised Code, the court shall order the records 734
of the change of name proceeding to be sealed and to be opened 735
only by order of the court for good cause shown or at the 736
request of the applicant for any reason. 737

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Sec. 2717.09. Subject to section 2717.22 of the Revised 739
Code, an application for change of name may be made on behalf of 740
a minor by either of the minor's parents, a legal guardian, a 741
legal custodian, or a guardian ad litem. 742

Sec. 2717.10. (A) The court shall not order a change of 743
name under section 2717.07 of the Revised Code if the person 744
applying for a change of name has a duty to comply with section 745
2950.04 or 2950.041 of the Revised Code because the applicant 746
was convicted of, pleaded guilty to, or was adjudicated a 747
delinquent child for having committed a sexually oriented 748
offense or a child-victim oriented offense. 749

(B) The court shall not order a change of name under 750
section 2717.07 of the Revised Code if the person applying for a 751
change of name has pleaded guilty to, been convicted of, or been 752
adjudicated a delinquent child for committing a violation of 753
section 2913.49 of the Revised Code unless the guilty plea, 754
conviction, or adjudication has been reversed on appeal. 755

Sec. 2717.13. A person desiring to correct a misspelling, 756
inconsistency, or other error of his or her legal name in an 757
official identity document may file an application in the 758
probate court of the county in which the person resides to 759
resolve discrepancies in that official identity document and to 760
confirm the person's name on the identity document to the 761
person's current legal name. 762

Sec. 2717.14. Subject to sections 2717.20 and 2717.21 of 763
the Revised Code, an application to conform a legal name to 764
correct a misspelling, inconsistency, or other error in an 765
official identity document shall set forth all of the following: 766

(A) That the applicant has been a bona fide resident of 767
the county where the applicant is filing for at least thirty 768
days prior to the filing of the application; 769

(B) An explanation of the misspelling, inconsistency, or 770
other error in the name; 771

(C) A description of the correction sought to conform the 772
name on all official identity documents. 773

Sec. 2717.15. The court may hold a hearing on the 774
application under section 2717.13 of the Revised Code. If a 775
hearing is ordered, the court shall set the manner, scope, and 776
content of the hearing notice the applicant must serve. 777

Sec. 2717.16. Upon proof that the facts set forth in the 778
application under section 2717.13 of the Revised Code show that 779
a misspelling, inconsistency, or other error of the applicant's 780
legal name on an official identity document exists, and that 781
reasonable and proper cause exists for issuing an order that 782
resolves the discrepancy and conforms the applicant's legal 783
name, the court may issue an order to conform the name of the 784
person. 785

Sec. 2717.17. Subject to section 2717.22 of the Revised 786
Code, an application to conform a legal name to correct a 787
misspelling, inconsistency, or other error in an official 788
identity document may be made on behalf of a minor by either of 789
the minor's parents, a legal guardian, a legal custodian, or a 790
guardian ad litem. 791

Sec. 2717.18. An action to conform the legal name of a 792
person under sections 2717.13 and 2717.17 of the Revised Code 793
shall not be permitted in lieu of either of the following: 794

(A) Correction of a birth record under section 3705.15 of 795

<u>the Revised Code;</u>	796
<u>(B) Changing a legal name to a name that is not used in any existing official identity documents.</u>	797 798
<u>Sec. 2717.20. A probate court by local rule or order may require an applicant to submit a copy of any or all of the applicant's official identity documents or other documentary evidence relating to the applicant's identity that the court deems relevant to the application.</u>	799 800 801 802 803
<u>Sec. 2717.21. (A) On receipt of an application, the probate court may do the following:</u>	804 805
<u>(1) Require the applicant to submit one complete set of fingerprint impressions directly to the superintendent of the bureau of criminal identification and investigation for the purpose of conducting a criminal records check. The applicant shall provide the fingerprint impressions using a method the superintendent of the bureau of criminal identification and investigation prescribes and fill out the form the superintendent prescribes pursuant to division (C) of section 109.572 of the Revised Code.</u>	806 807 808 809 810 811 812 813 814
<u>(2) Request the superintendent of the bureau of criminal identification and investigation to conduct a criminal records check based on the applicant's fingerprint impressions under division (A) (18) of section 109.572 of the Revised Code.</u>	815 816 817 818
<u>(3) Request that criminal record information based on the applicant's fingerprints be obtained from the federal bureau of investigation as part of the criminal records check.</u>	819 820 821
<u>(B) Any fee required under division (C) (3) of section 109.572 of the Revised Code shall be paid by the applicant.</u>	822 823

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Sec. 2717.22. (A) When application under section 2717.09 825
or 2717.17 of the Revised Code is made on behalf of a minor, in 826
addition to the proof required under section 2717.04 or 2717.14 827
of the Revised Code and, if applicable, proof of notice, the 828
consent of both living, legal parents of the minor shall be 829
filed, or notice of the hearing shall be given to the parent or 830
parents not consenting by certified mail, return receipt 831
requested. 832

(B) If there is no known father of the minor, the notice 833
shall be given to the person who the mother of the minor alleges 834
to be the father. 835

(C) If no father is so alleged, or if either parent or the 836
address of either parent is unknown, notice by publication in a 837
newspaper of general circulation in the county at least thirty 838
days before the hearing shall be sufficient as to the father or 839
parent. 840

(D) Any additional notice required by this section may be 841
waived in writing by any person entitled to the notice. 842

Section 2. That existing sections 109.572 and 2717.01 of 843
the Revised Code are hereby repealed. 844

Section 3. Section 109.572 of the Revised Code is 845
presented in this act as a composite of the section as amended 846
by both H.B. 166 and S.B. 57 of the 133rd General Assembly. The 847
General Assembly, applying the principle stated in division (B) 848
of section 1.52 of the Revised Code that amendments are to be 849
harmonized if reasonably capable of simultaneous operation, 850
finds that the composite is the resulting version of the section 851
in effect prior to the effective date of the section as 852

presented in this act.

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