

**As Passed by the Senate**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 99**

**Representative Hall**

**Cosponsors: Representatives Riedel, Stoltzfus, Seitz, Stewart, Baldrige, Bird, Callender, Click, Creech, Cross, Cutrona, Edwards, Ferguson, Fowler Arthur, Gross, Hillyer, Holmes, Hoops, John, Johnson, Jones, Jordan, Lipps, McClain, Miller, K., Powell, Schmidt, Stein, Stephens, Vitale, Wiggam, Young, T.**

**Senators Johnson, Antani, Brenner, Cirino, Gavarone, Hackett, Hoagland, Huffman, S., O'Brien, Peterson, Schaffer, Wilson**

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**A BILL**

To amend sections 109.78, 149.43, 149.433, 1  
2923.122, 3314.03, 3326.11, 5502.01, and 2  
5502.262 and to enact sections 5502.70, 3  
5502.701, 5502.702, and 5502.703 of the Revised 4  
Code to establish the Ohio School Safety Crisis 5  
Center and the Ohio Mobile Training Team to 6  
develop a curriculum and provide instruction and 7  
training for individuals to convey deadly 8  
weapons and dangerous ordnance in a school 9  
safety zone, to expressly exempt such 10  
individuals from a peace officer basic training 11  
requirement, to require public notice if a board 12  
of education or school governing body authorizes 13  
persons to go armed in a school, and to make an 14  
appropriation. 15

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

**Section 1.** That sections 109.78, 149.43, 149.433, 16  
2923.122, 3314.03, 3326.11, 5502.01, and 5502.262 be amended and 17  
sections 5502.70, 5502.701, 5502.702, and 5502.703 of the 18  
Revised Code be enacted to read as follows: 19

**Sec. 109.78.** (A) The executive director of the Ohio peace 20  
officer training commission, on behalf of the commission and in 21  
accordance with rules promulgated by the attorney general, shall 22  
certify persons who have satisfactorily completed approved 23  
training programs designed to qualify persons for positions as 24  
special police, security guards, or persons otherwise privately 25  
employed in a police capacity and issue appropriate certificates 26  
to such persons. Application for approval of a training program 27  
designed to qualify persons for such positions shall be made to 28  
the commission. An application for approval shall be submitted 29  
to the commission with a fee of one hundred twenty-five dollars, 30  
which fee shall be refunded if the application is denied. Such 31  
programs shall cover only duties and jurisdiction of such 32  
security guards and special police privately employed in a 33  
police capacity when such officers do not qualify for training 34  
under section 109.71 of the Revised Code. A person attending an 35  
approved basic training program administered by the state shall 36  
pay to the agency administering the program the cost of the 37  
person's participation in the program as determined by the 38  
agency. A person attending an approved basic training program 39  
administered by a county or municipal corporation shall pay the 40  
cost of the person's participation in the program, as determined 41  
by the administering subdivision, to the county or the municipal 42  
corporation. A person who is issued a certificate for 43  
satisfactory completion of an approved basic training program 44  
shall pay to the commission a fee of fifteen dollars. A 45  
duplicate of a lost, spoliated, or destroyed certificate may be 46

issued upon application and payment of a fee of fifteen dollars. 47  
Such certificate or the completion of twenty years of active 48  
duty as a peace officer shall satisfy the educational 49  
requirements for appointment or commission as a special police 50  
officer or special deputy of a political subdivision of this 51  
state. 52

(B) (1) The executive director of the Ohio peace officer 53  
training commission, on behalf of the commission and in 54  
accordance with rules promulgated by the attorney general, shall 55  
certify basic firearms training programs, and shall issue 56  
certificates to class A, B, or C licensees or prospective class 57  
A, B, or C licensees under Chapter 4749. of the Revised Code and 58  
to registered or prospective employees of such class A, B, or C 59  
licensees who have satisfactorily completed a basic firearms 60  
training program of the type described in division (A) (1) of 61  
section 4749.10 of the Revised Code. 62

Application for approval of a basic firearms training 63  
program shall be made to the commission. An application shall be 64  
submitted to the commission with a fee of one hundred dollars, 65  
which fee shall be refunded if the application is denied. 66

A person who is issued a certificate for satisfactory 67  
completion of an approved basic firearms training program shall 68  
pay a fee of ten dollars to the commission. A duplicate of a 69  
lost, spoliated, or destroyed certificate may be issued upon 70  
application and payment of a fee of five dollars. 71

(2) The executive director, on behalf of the commission 72  
and in accordance with rules promulgated by the attorney 73  
general, also shall certify firearms requalification training 74  
programs and instructors for the annual requalification of class 75  
A, B, or C licensees under Chapter 4749. of the Revised Code and 76

registered or prospective employees of such class A, B, or C 77  
licensees who are authorized to carry a firearm under section 78  
4749.10 of the Revised Code. Application for approval of a 79  
training program or instructor for such purpose shall be made to 80  
the commission. Such an application shall be submitted to the 81  
commission with a fee of fifty dollars, which fee shall be 82  
refunded if the application is denied. 83

(3) The executive director, upon request, also shall 84  
review firearms training received within three years prior to 85  
November 23, 1985, by any class A, B, or C licensee or 86  
prospective class A, B, or C licensee, or by any registered or 87  
prospective employee of any class A, B, or C licensee under 88  
Chapter 4749. of the Revised Code to determine if the training 89  
received is equivalent to a basic firearms training program that 90  
includes twenty hours of handgun training and five hours of 91  
training in the use of other firearms, if any other firearm is 92  
to be used. If the executive director determines the training 93  
was received within the three-year period and that it is 94  
equivalent to such a program, the executive director shall issue 95  
written evidence of approval of the equivalency training to the 96  
licensee or employee. 97

(C) There is hereby established in the state treasury the 98  
peace officer private security fund, which shall be used by the 99  
Ohio peace officer training commission to administer the 100  
training program to qualify persons for positions as special 101  
police, security guards, or other private employment in a police 102  
capacity, as described in division (A) of this section, and the 103  
training program in basic firearms and the training program for 104  
firearms requalification, both as described in division (B) of 105  
this section. All fees paid to the commission by applicants for 106  
approval of a training program designed to qualify persons for 107

such private police positions, basic firearms training program, 108  
or a firearms requalification training program or instructor, as 109  
required by division (A) or (B) of this section, by persons who 110  
satisfactorily complete a private police training program or a 111  
basic firearms training program, as required by division (A) or 112  
(B) of this section, or by persons who satisfactorily requalify 113  
in firearms use, as required by division (B)(2) of section 114  
4749.10 of the Revised Code, shall be transmitted to the 115  
treasurer of state for deposit in the fund. The fund shall be 116  
used only for the purpose set forth in this division. 117

~~(D) No (D)(1) Subject to division (D)(2) of this section,~~ 118  
~~no public or private educational institution or superintendent~~ 119  
~~of the state highway patrol shall employ a person as a special~~ 120  
~~police officer, as a security guard, or other for a similar law~~ 121  
~~enforcement or security position in which such person goes armed~~ 122  
~~while on duty,~~ who has not received a certificate of having 123  
satisfactorily completed an approved basic peace officer 124  
training program, unless the person has completed twenty years 125  
of active duty as a peace officer. 126

(2) Division (D)(1) of this section does not apply to a 127  
person who is employed by a school district board of education 128  
or governing body of a community school established under 129  
Chapter 3314. of the Revised Code, STEM school established under 130  
Chapter 3326. of the Revised Code, or chartered nonpublic school 131  
and who has been authorized by a board or governing body to 132  
voluntarily go armed within a school safety zone within which 133  
the board or governing body has authority, if both of the 134  
following apply with respect to the employment and person: 135

(a) The person is within the category of persons 136  
authorized to go armed within a school safety zone specified 137

<u>under division (D) (1) (d) of section 2923.122 of the Revised</u>	138
<u>Code.</u>	139
<u>(b) The person is not being employed as a special police</u>	140
<u>officer or security officer.</u>	141
<u>(E) The general assembly, in amending division (D) of this</u>	142
<u>section pursuant to H.B. 99 of the 134th general assembly,</u>	143
<u>hereby declares that the purpose of those amendments is to</u>	144
<u>expressly overrule the decision of the Ohio Supreme Court in the</u>	145
<u>case <i>Gabbard v. Madison Local School Dist. Bd. of Edn., Slip</i></u>	146
<u><i>Opinion No. 2021-Ohio-2067.</i></u>	147
<b>Sec. 149.43.</b> (A) As used in this section:	148
(1) "Public record" means records kept by any public	149
office, including, but not limited to, state, county, city,	150
village, township, and school district units, and records	151
pertaining to the delivery of educational services by an	152
alternative school in this state kept by the nonprofit or for-	153
profit entity operating the alternative school pursuant to	154
section 3313.533 of the Revised Code. "Public record" does not	155
mean any of the following:	156
(a) Medical records;	157
(b) Records pertaining to probation and parole	158
proceedings, to proceedings related to the imposition of	159
community control sanctions and post-release control sanctions,	160
or to proceedings related to determinations under section	161
2967.271 of the Revised Code regarding the release or maintained	162
incarceration of an offender to whom that section applies;	163
(c) Records pertaining to actions under section 2151.85	164
and division (C) of section 2919.121 of the Revised Code and to	165
appeals of actions arising under those sections;	166

(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;	167 168 169
(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;	170 171 172 173 174 175
(f) Records specified in division (A) of section 3107.52 of the Revised Code;	176 177
(g) Trial preparation records;	178
(h) Confidential law enforcement investigatory records;	179
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	180 181
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	182 183
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	184 185 186 187
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	188 189 190 191
(m) Intellectual property records;	192
(n) Donor profile records;	193

(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	194 195
(p) Designated public service worker residential and familial information;	196 197
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	198 199 200 201 202
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	203 204
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;	205 206 207 208 209 210 211 212 213 214 215 216
(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;	217 218 219 220 221
(u) Test materials, examinations, or evaluation tools used	222

in an examination for licensure as a nursing home administrator	223
that the board of executives of long-term services and supports	224
administers under section 4751.15 of the Revised Code or	225
contracts under that section with a private or government entity	226
to administer;	227
(v) Records the release of which is prohibited by state or	228
federal law;	229
(w) Proprietary information of or relating to any person	230
that is submitted to or compiled by the Ohio venture capital	231
authority created under section 150.01 of the Revised Code;	232
(x) Financial statements and data any person submits for	233
any purpose to the Ohio housing finance agency or the	234
controlling board in connection with applying for, receiving, or	235
accounting for financial assistance from the agency, and	236
information that identifies any individual who benefits directly	237
or indirectly from financial assistance from the agency;	238
(y) Records listed in section 5101.29 of the Revised Code;	239
(z) Discharges recorded with a county recorder under	240
section 317.24 of the Revised Code, as specified in division (B)	241
(2) of that section;	242
(aa) Usage information including names and addresses of	243
specific residential and commercial customers of a municipally	244
owned or operated public utility;	245
(bb) Records described in division (C) of section 187.04	246
of the Revised Code that are not designated to be made available	247
to the public as provided in that division;	248
(cc) Information and records that are made confidential,	249
privileged, and not subject to disclosure under divisions (B)	250

and (C) of section 2949.221 of the Revised Code;	251
(dd) Personal information, as defined in section 149.45 of the Revised Code;	252 253
(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record; records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state; and any real property confidentiality notice filed under section 111.431 of the Revised Code and the information described in division (C) of that section. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.	254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270
(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order;	271 272 273 274 275 276
(gg) The name, address, contact information, or other personal information of an individual who is less than eighteen years of age that is included in any record related to a traffic accident involving a school vehicle in which the individual was	277 278 279 280

an occupant at the time of the accident;	281
(hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity;	282 283 284 285 286 287
(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:	288 289 290
(i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity.	291 292 293 294
(ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section 2950.01 of the Revised Code, at the actual occurrence of that offense.	295 296 297
(jj) Restricted portions of a body-worn camera or dashboard camera recording;	298 299
(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code.	300 301 302 303 304 305 306 307 308
(ll) Records, documents, reports, or other information	309

presented to the pregnancy-associated mortality review board 310  
established under section 3738.01 of the Revised Code, 311  
statements made by board members during board meetings, all work 312  
products of the board, and data submitted by the board to the 313  
department of health, other than the biennial reports prepared 314  
under section 3738.08 of the Revised Code; 315

(mm) Except as otherwise provided in division (A) (1) (oo) 316  
of this section, telephone numbers for a victim, as defined in 317  
section 2930.01 of the Revised Code or a witness to a crime that 318  
are listed on any law enforcement record or report. 319

(nn) A preneed funeral contract, as defined in section 320  
4717.01 of the Revised Code, and contract terms and personally 321  
identifying information of a preneed funeral contract, that is 322  
contained in a report submitted by or for a funeral home to the 323  
board of embalmers and funeral directors under division (C) of 324  
section 4717.13, division (J) of section 4717.31, or section 325  
4717.41 of the Revised Code. 326

(oo) Telephone numbers for a party to a motor vehicle 327  
accident subject to the requirements of section 5502.11 of the 328  
Revised Code that are listed on any law enforcement record or 329  
report, except that the telephone numbers described in this 330  
division are not excluded from the definition of "public record" 331  
under this division on and after the thirtieth day after the 332  
occurrence of the motor vehicle accident. 333

(pp) Records pertaining to individuals who complete 334  
training under section 5502.703 of the Revised Code to be 335  
permitted by a school district board of education or governing 336  
body of a community school established under Chapter 3314. of 337  
the Revised Code, a STEM school established under Chapter 3326. 338  
of the Revised Code, or a chartered nonpublic school to convey 339

deadly weapons or dangerous ordnance into a school safety zone. 340

A record that is not a public record under division (A) (1) 341  
of this section and that, under law, is permanently retained 342  
becomes a public record on the day that is seventy-five years 343  
after the day on which the record was created, except for any 344  
record protected by the attorney-client privilege, a trial 345  
preparation record as defined in this section, a statement 346  
prohibiting the release of identifying information signed under 347  
section 3107.083 of the Revised Code, a denial of release form 348  
filed pursuant to section 3107.46 of the Revised Code, or any 349  
record that is exempt from release or disclosure under section 350  
149.433 of the Revised Code. If the record is a birth 351  
certificate and a biological parent's name redaction request 352  
form has been accepted under section 3107.391 of the Revised 353  
Code, the name of that parent shall be redacted from the birth 354  
certificate before it is released under this paragraph. If any 355  
other section of the Revised Code establishes a time period for 356  
disclosure of a record that conflicts with the time period 357  
specified in this section, the time period in the other section 358  
prevails. 359

(2) "Confidential law enforcement investigatory record" 360  
means any record that pertains to a law enforcement matter of a 361  
criminal, quasi-criminal, civil, or administrative nature, but 362  
only to the extent that the release of the record would create a 363  
high probability of disclosure of any of the following: 364

(a) The identity of a suspect who has not been charged 365  
with the offense to which the record pertains, or of an 366  
information source or witness to whom confidentiality has been 367  
reasonably promised; 368

(b) Information provided by an information source or 369

witness to whom confidentiality has been reasonably promised, 370  
which information would reasonably tend to disclose the source's 371  
or witness's identity; 372

(c) Specific confidential investigatory techniques or 373  
procedures or specific investigatory work product; 374

(d) Information that would endanger the life or physical 375  
safety of law enforcement personnel, a crime victim, a witness, 376  
or a confidential information source. 377

(3) "Medical record" means any document or combination of 378  
documents, except births, deaths, and the fact of admission to 379  
or discharge from a hospital, that pertains to the medical 380  
history, diagnosis, prognosis, or medical condition of a patient 381  
and that is generated and maintained in the process of medical 382  
treatment. 383

(4) "Trial preparation record" means any record that 384  
contains information that is specifically compiled in reasonable 385  
anticipation of, or in defense of, a civil or criminal action or 386  
proceeding, including the independent thought processes and 387  
personal trial preparation of an attorney. 388

(5) "Intellectual property record" means a record, other 389  
than a financial or administrative record, that is produced or 390  
collected by or for faculty or staff of a state institution of 391  
higher learning in the conduct of or as a result of study or 392  
research on an educational, commercial, scientific, artistic, 393  
technical, or scholarly issue, regardless of whether the study 394  
or research was sponsored by the institution alone or in 395  
conjunction with a governmental body or private concern, and 396  
that has not been publicly released, published, or patented. 397

(6) "Donor profile record" means all records about donors 398

or potential donors to a public institution of higher education 399  
except the names and reported addresses of the actual donors and 400  
the date, amount, and conditions of the actual donation. 401

(7) "Designated public service worker" means a peace 402  
officer, parole officer, probation officer, bailiff, prosecuting 403  
attorney, assistant prosecuting attorney, correctional employee, 404  
county or multicounty corrections officer, community-based 405  
correctional facility employee, designated Ohio national guard 406  
member, protective services worker, youth services employee, 407  
firefighter, EMT, medical director or member of a cooperating 408  
physician advisory board of an emergency medical service 409  
organization, state board of pharmacy employee, investigator of 410  
the bureau of criminal identification and investigation, 411  
emergency service telecommunicator, forensic mental health 412  
provider, mental health evaluation provider, regional 413  
psychiatric hospital employee, judge, magistrate, or federal law 414  
enforcement officer. 415

(8) "Designated public service worker residential and 416  
familial information" means any information that discloses any 417  
of the following about a designated public service worker: 418

(a) The address of the actual personal residence of a 419  
designated public service worker, except for the following 420  
information: 421

(i) The address of the actual personal residence of a 422  
prosecuting attorney or judge; and 423

(ii) The state or political subdivision in which a 424  
designated public service worker resides. 425

(b) Information compiled from referral to or participation 426  
in an employee assistance program; 427

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker; 428  
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(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer; 433  
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(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law; 437  
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(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker; 442  
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(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority. 448  
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(9) As used in divisions (A) (7) and (15) to (17) of this section: 452  
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"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the 454  
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sheriff of a county or a supervisory employee who, in the 457  
absence of the sheriff, is authorized to stand in for, exercise 458  
the authority of, and perform the duties of the sheriff. 459

"Correctional employee" means any employee of the 460  
department of rehabilitation and correction who in the course of 461  
performing the employee's job duties has or has had contact with 462  
inmates and persons under supervision. 463

"County or multicounty corrections officer" means any 464  
corrections officer employed by any county or multicounty 465  
correctional facility. 466

"Designated Ohio national guard member" means a member of 467  
the Ohio national guard who is participating in duties related 468  
to remotely piloted aircraft, including, but not limited to, 469  
pilots, sensor operators, and mission intelligence personnel, 470  
duties related to special forces operations, or duties related 471  
to cybersecurity, and is designated by the adjutant general as a 472  
designated public service worker for those purposes. 473

"Protective services worker" means any employee of a 474  
county agency who is responsible for child protective services, 475  
child support services, or adult protective services. 476

"Youth services employee" means any employee of the 477  
department of youth services who in the course of performing the 478  
employee's job duties has or has had contact with children 479  
committed to the custody of the department of youth services. 480

"Firefighter" means any regular, paid or volunteer, member 481  
of a lawfully constituted fire department of a municipal 482  
corporation, township, fire district, or village. 483

"EMT" means EMTs-basic, EMTs-I, and paramedics that 484  
provide emergency medical services for a public emergency 485

medical service organization. "Emergency medical service 486  
organization," "EMT-basic," "EMT-I," and "paramedic" have the 487  
meanings defined in section 4765.01 of the Revised Code. 488

"Investigator of the bureau of criminal identification and 489  
investigation" has the meaning defined in section 2903.11 of the 490  
Revised Code. 491

"Emergency service telecommunicator" has the meaning 492  
defined in section 4742.01 of the Revised Code. 493

"Forensic mental health provider" means any employee of a 494  
community mental health service provider or local alcohol, drug 495  
addiction, and mental health services board who, in the course 496  
of the employee's duties, has contact with persons committed to 497  
a local alcohol, drug addiction, and mental health services 498  
board by a court order pursuant to section 2945.38, 2945.39, 499  
2945.40, or 2945.402 of the Revised Code. 500

"Mental health evaluation provider" means an individual 501  
who, under Chapter 5122. of the Revised Code, examines a 502  
respondent who is alleged to be a mentally ill person subject to 503  
court order, as defined in section 5122.01 of the Revised Code, 504  
and reports to the probate court the respondent's mental 505  
condition. 506

"Regional psychiatric hospital employee" means any 507  
employee of the department of mental health and addiction 508  
services who, in the course of performing the employee's duties, 509  
has contact with patients committed to the department of mental 510  
health and addiction services by a court order pursuant to 511  
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 512  
Code. 513

"Federal law enforcement officer" has the meaning defined 514

in section 9.88 of the Revised Code. 515

(10) "Information pertaining to the recreational 516  
activities of a person under the age of eighteen" means 517  
information that is kept in the ordinary course of business by a 518  
public office, that pertains to the recreational activities of a 519  
person under the age of eighteen years, and that discloses any 520  
of the following: 521

(a) The address or telephone number of a person under the 522  
age of eighteen or the address or telephone number of that 523  
person's parent, guardian, custodian, or emergency contact 524  
person; 525

(b) The social security number, birth date, or 526  
photographic image of a person under the age of eighteen; 527

(c) Any medical record, history, or information pertaining 528  
to a person under the age of eighteen; 529

(d) Any additional information sought or required about a 530  
person under the age of eighteen for the purpose of allowing 531  
that person to participate in any recreational activity 532  
conducted or sponsored by a public office or to use or obtain 533  
admission privileges to any recreational facility owned or 534  
operated by a public office. 535

(11) "Community control sanction" has the meaning defined 536  
in section 2929.01 of the Revised Code. 537

(12) "Post-release control sanction" has the meaning 538  
defined in section 2967.01 of the Revised Code. 539

(13) "Redaction" means obscuring or deleting any 540  
information that is exempt from the duty to permit public 541  
inspection or copying from an item that otherwise meets the 542

definition of a "record" in section 149.011 of the Revised Code.	543
(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.	544 545
(15) "Body-worn camera" means a visual and audio recording device worn on the person of a peace officer while the peace officer is engaged in the performance of the peace officer's duties.	546 547 548 549
(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.	550 551 552 553
(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:	554 555 556 557
(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the law enforcement agency knows or has reason to know the person is a child based on the law enforcement agency's records or the content of the recording;	558 559 560 561 562
(b) The death of a person or a deceased person's body, unless the death was caused by a peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;	563 564 565 566
(c) The death of a peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;	567 568 569 570 571

(d) Grievous bodily harm, unless the injury was effected 572  
by a peace officer or, subject to division (H) (1) of this 573  
section, the consent of the injured person or the injured 574  
person's guardian has been obtained; 575

(e) An act of severe violence against a person that 576  
results in serious physical harm to the person, unless the act 577  
and injury was effected by a peace officer or, subject to 578  
division (H) (1) of this section, the consent of the injured 579  
person or the injured person's guardian has been obtained; 580

(f) Grievous bodily harm to a peace officer, firefighter, 581  
paramedic, or other first responder, occurring while the injured 582  
person was engaged in the performance of official duties, 583  
unless, subject to division (H) (1) of this section, the consent 584  
of the injured person or the injured person's guardian has been 585  
obtained; 586

(g) An act of severe violence resulting in serious 587  
physical harm against a peace officer, firefighter, paramedic, 588  
or other first responder, occurring while the injured person was 589  
engaged in the performance of official duties, unless, subject 590  
to division (H) (1) of this section, the consent of the injured 591  
person or the injured person's guardian has been obtained; 592

(h) A person's nude body, unless, subject to division (H) 593  
(1) of this section, the person's consent has been obtained; 594

(i) Protected health information, the identity of a person 595  
in a health care facility who is not the subject of a law 596  
enforcement encounter, or any other information in a health care 597  
facility that could identify a person who is not the subject of 598  
a law enforcement encounter; 599

(j) Information that could identify the alleged victim of 600

a sex offense, menacing by stalking, or domestic violence; 601

(k) Information, that does not constitute a confidential 602  
law enforcement investigatory record, that could identify a 603  
person who provides sensitive or confidential information to a 604  
law enforcement agency when the disclosure of the person's 605  
identity or the information provided could reasonably be 606  
expected to threaten or endanger the safety or property of the 607  
person or another person; 608

(l) Personal information of a person who is not arrested, 609  
cited, charged, or issued a written warning by a peace officer; 610

(m) Proprietary police contingency plans or tactics that 611  
are intended to prevent crime and maintain public order and 612  
safety; 613

(n) A personal conversation unrelated to work between 614  
peace officers or between a peace officer and an employee of a 615  
law enforcement agency; 616

(o) A conversation between a peace officer and a member of 617  
the public that does not concern law enforcement activities; 618

(p) The interior of a residence, unless the interior of a 619  
residence is the location of an adversarial encounter with, or a 620  
use of force by, a peace officer; 621

(q) Any portion of the interior of a private business that 622  
is not open to the public, unless an adversarial encounter with, 623  
or a use of force by, a peace officer occurs in that location. 624

As used in division (A) (17) of this section: 625

"Grievous bodily harm" has the same meaning as in section 626  
5924.120 of the Revised Code. 627

"Health care facility" has the same meaning as in section 1337.11 of the Revised Code. 628  
629

"Protected health information" has the same meaning as in 45 C.F.R. 160.103. 630  
631

"Law enforcement agency" has the same meaning as in section 2925.61 of the Revised Code. 632  
633

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases. 634  
635  
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637

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code. 638  
639

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code. 640  
641

(B) (1) Upon request by any person and subject to division (B) (8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to the requester at all reasonable times during regular business hours. Subject to division (B) (8) of this section, upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester at cost and within a reasonable period of time. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public 642  
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office or the person responsible for the public record shall 657  
notify the requester of any redaction or make the redaction 658  
plainly visible. A redaction shall be deemed a denial of a 659  
request to inspect or copy the redacted information, except if 660  
federal or state law authorizes or requires a public office to 661  
make the redaction. 662

(2) To facilitate broader access to public records, a 663  
public office or the person responsible for public records shall 664  
organize and maintain public records in a manner that they can 665  
be made available for inspection or copying in accordance with 666  
division (B) of this section. A public office also shall have 667  
available a copy of its current records retention schedule at a 668  
location readily available to the public. If a requester makes 669  
an ambiguous or overly broad request or has difficulty in making 670  
a request for copies or inspection of public records under this 671  
section such that the public office or the person responsible 672  
for the requested public record cannot reasonably identify what 673  
public records are being requested, the public office or the 674  
person responsible for the requested public record may deny the 675  
request but shall provide the requester with an opportunity to 676  
revise the request by informing the requester of the manner in 677  
which records are maintained by the public office and accessed 678  
in the ordinary course of the public office's or person's 679  
duties. 680

(3) If a request is ultimately denied, in part or in 681  
whole, the public office or the person responsible for the 682  
requested public record shall provide the requester with an 683  
explanation, including legal authority, setting forth why the 684  
request was denied. If the initial request was provided in 685  
writing, the explanation also shall be provided to the requester 686  
in writing. The explanation shall not preclude the public office 687

or the person responsible for the requested public record from 688  
relying upon additional reasons or legal authority in defending 689  
an action commenced under division (C) of this section. 690

(4) Unless specifically required or authorized by state or 691  
federal law or in accordance with division (B) of this section, 692  
no public office or person responsible for public records may 693  
limit or condition the availability of public records by 694  
requiring disclosure of the requester's identity or the intended 695  
use of the requested public record. Any requirement that the 696  
requester disclose the requester's identity or the intended use 697  
of the requested public record constitutes a denial of the 698  
request. 699

(5) A public office or person responsible for public 700  
records may ask a requester to make the request in writing, may 701  
ask for the requester's identity, and may inquire about the 702  
intended use of the information requested, but may do so only 703  
after disclosing to the requester that a written request is not 704  
mandatory, that the requester may decline to reveal the 705  
requester's identity or the intended use, and when a written 706  
request or disclosure of the identity or intended use would 707  
benefit the requester by enhancing the ability of the public 708  
office or person responsible for public records to identify, 709  
locate, or deliver the public records sought by the requester. 710

(6) If any person requests a copy of a public record in 711  
accordance with division (B) of this section, the public office 712  
or person responsible for the public record may require the 713  
requester to pay in advance the cost involved in providing the 714  
copy of the public record in accordance with the choice made by 715  
the requester under this division. The public office or the 716  
person responsible for the public record shall permit the 717

requester to choose to have the public record duplicated upon 718  
paper, upon the same medium upon which the public office or 719  
person responsible for the public record keeps it, or upon any 720  
other medium upon which the public office or person responsible 721  
for the public record determines that it reasonably can be 722  
duplicated as an integral part of the normal operations of the 723  
public office or person responsible for the public record. When 724  
the requester makes a choice under this division, the public 725  
office or person responsible for the public record shall provide 726  
a copy of it in accordance with the choice made by the 727  
requester. Nothing in this section requires a public office or 728  
person responsible for the public record to allow the requester 729  
of a copy of the public record to make the copies of the public 730  
record. 731

(7) (a) Upon a request made in accordance with division (B) 732  
of this section and subject to division (B) (6) of this section, 733  
a public office or person responsible for public records shall 734  
transmit a copy of a public record to any person by United 735  
States mail or by any other means of delivery or transmission 736  
within a reasonable period of time after receiving the request 737  
for the copy. The public office or person responsible for the 738  
public record may require the person making the request to pay 739  
in advance the cost of postage if the copy is transmitted by 740  
United States mail or the cost of delivery if the copy is 741  
transmitted other than by United States mail, and to pay in 742  
advance the costs incurred for other supplies used in the 743  
mailing, delivery, or transmission. 744

(b) Any public office may adopt a policy and procedures 745  
that it will follow in transmitting, within a reasonable period 746  
of time after receiving a request, copies of public records by 747  
United States mail or by any other means of delivery or 748

transmission pursuant to division (B)(7) of this section. A 749  
public office that adopts a policy and procedures under division 750  
(B)(7) of this section shall comply with them in performing its 751  
duties under that division. 752

(c) In any policy and procedures adopted under division 753  
(B)(7) of this section: 754

(i) A public office may limit the number of records 755  
requested by a person that the office will physically deliver by 756  
United States mail or by another delivery service to ten per 757  
month, unless the person certifies to the office in writing that 758  
the person does not intend to use or forward the requested 759  
records, or the information contained in them, for commercial 760  
purposes; 761

(ii) A public office that chooses to provide some or all 762  
of its public records on a web site that is fully accessible to 763  
and searchable by members of the public at all times, other than 764  
during acts of God outside the public office's control or 765  
maintenance, and that charges no fee to search, access, 766  
download, or otherwise receive records provided on the web site, 767  
may limit to ten per month the number of records requested by a 768  
person that the office will deliver in a digital format, unless 769  
the requested records are not provided on the web site and 770  
unless the person certifies to the office in writing that the 771  
person does not intend to use or forward the requested records, 772  
or the information contained in them, for commercial purposes. 773

(iii) For purposes of division (B)(7) of this section, 774  
"commercial" shall be narrowly construed and does not include 775  
reporting or gathering news, reporting or gathering information 776  
to assist citizen oversight or understanding of the operation or 777  
activities of government, or nonprofit educational research. 778

(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9) (a) Upon written request made and signed by a journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the designated public service worker's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

(b) Division (B) (9) (a) of this section also applies to journalist requests for:

(i) Customer information maintained by a municipally owned

or operated public utility, other than social security numbers 809  
and any private financial information such as credit reports, 810  
payment methods, credit card numbers, and bank account 811  
information; 812

(ii) Information about minors involved in a school vehicle 813  
accident as provided in division (A) (1) (gg) of this section, 814  
other than personal information as defined in section 149.45 of 815  
the Revised Code. 816

(c) As used in division (B) (9) of this section, 817  
"journalist" means a person engaged in, connected with, or 818  
employed by any news medium, including a newspaper, magazine, 819  
press association, news agency, or wire service, a radio or 820  
television station, or a similar medium, for the purpose of 821  
gathering, processing, transmitting, compiling, editing, or 822  
disseminating information for the general public. 823

(10) Upon a request made by a victim, victim's attorney, 824  
or victim's representative, as that term is used in section 825  
2930.02 of the Revised Code, a public office or person 826  
responsible for public records shall transmit a copy of a 827  
depiction of the victim as described in division (A) (1) (ii) of 828  
this section to the victim, victim's attorney, or victim's 829  
representative. 830

(C) (1) If a person allegedly is aggrieved by the failure 831  
of a public office or the person responsible for public records 832  
to promptly prepare a public record and to make it available to 833  
the person for inspection in accordance with division (B) of 834  
this section or by any other failure of a public office or the 835  
person responsible for public records to comply with an 836  
obligation in accordance with division (B) of this section, the 837  
person allegedly aggrieved may do only one of the following, and 838

not both: 839

(a) File a complaint with the clerk of the court of claims 840  
or the clerk of the court of common pleas under section 2743.75 841  
of the Revised Code; 842

(b) Commence a mandamus action to obtain a judgment that 843  
orders the public office or the person responsible for the 844  
public record to comply with division (B) of this section, that 845  
awards court costs and reasonable attorney's fees to the person 846  
that instituted the mandamus action, and, if applicable, that 847  
includes an order fixing statutory damages under division (C) (2) 848  
of this section. The mandamus action may be commenced in the 849  
court of common pleas of the county in which division (B) of 850  
this section allegedly was not complied with, in the supreme 851  
court pursuant to its original jurisdiction under Section 2 of 852  
Article IV, Ohio Constitution, or in the court of appeals for 853  
the appellate district in which division (B) of this section 854  
allegedly was not complied with pursuant to its original 855  
jurisdiction under Section 3 of Article IV, Ohio Constitution. 856

(2) If a requester transmits a written request by hand 857  
delivery, electronic submission, or certified mail to inspect or 858  
receive copies of any public record in a manner that fairly 859  
describes the public record or class of public records to the 860  
public office or person responsible for the requested public 861  
records, except as otherwise provided in this section, the 862  
requester shall be entitled to recover the amount of statutory 863  
damages set forth in this division if a court determines that 864  
the public office or the person responsible for public records 865  
failed to comply with an obligation in accordance with division 866  
(B) of this section. 867

The amount of statutory damages shall be fixed at one 868

hundred dollars for each business day during which the public 869  
office or person responsible for the requested public records 870  
failed to comply with an obligation in accordance with division 871  
(B) of this section, beginning with the day on which the 872  
requester files a mandamus action to recover statutory damages, 873  
up to a maximum of one thousand dollars. The award of statutory 874  
damages shall not be construed as a penalty, but as compensation 875  
for injury arising from lost use of the requested information. 876  
The existence of this injury shall be conclusively presumed. The 877  
award of statutory damages shall be in addition to all other 878  
remedies authorized by this section. 879

The court may reduce an award of statutory damages or not 880  
award statutory damages if the court determines both of the 881  
following: 882

(a) That, based on the ordinary application of statutory 883  
law and case law as it existed at the time of the conduct or 884  
threatened conduct of the public office or person responsible 885  
for the requested public records that allegedly constitutes a 886  
failure to comply with an obligation in accordance with division 887  
(B) of this section and that was the basis of the mandamus 888  
action, a well-informed public office or person responsible for 889  
the requested public records reasonably would believe that the 890  
conduct or threatened conduct of the public office or person 891  
responsible for the requested public records did not constitute 892  
a failure to comply with an obligation in accordance with 893  
division (B) of this section; 894

(b) That a well-informed public office or person 895  
responsible for the requested public records reasonably would 896  
believe that the conduct or threatened conduct of the public 897  
office or person responsible for the requested public records 898

would serve the public policy that underlies the authority that 899  
is asserted as permitting that conduct or threatened conduct. 900

(3) In a mandamus action filed under division (C) (1) of 901  
this section, the following apply: 902

(a) (i) If the court orders the public office or the person 903  
responsible for the public record to comply with division (B) of 904  
this section, the court shall determine and award to the relator 905  
all court costs, which shall be construed as remedial and not 906  
punitive. 907

(ii) If the court makes a determination described in 908  
division (C) (3) (b) (iii) of this section, the court shall 909  
determine and award to the relator all court costs, which shall 910  
be construed as remedial and not punitive. 911

(b) If the court renders a judgment that orders the public 912  
office or the person responsible for the public record to comply 913  
with division (B) of this section or if the court determines any 914  
of the following, the court may award reasonable attorney's fees 915  
to the relator, subject to division (C) (4) of this section: 916

(i) The public office or the person responsible for the 917  
public records failed to respond affirmatively or negatively to 918  
the public records request in accordance with the time allowed 919  
under division (B) of this section. 920

(ii) The public office or the person responsible for the 921  
public records promised to permit the relator to inspect or 922  
receive copies of the public records requested within a 923  
specified period of time but failed to fulfill that promise 924  
within that specified period of time. 925

(iii) The public office or the person responsible for the 926  
public records acted in bad faith when the office or person 927

voluntarily made the public records available to the relator for 928  
the first time after the relator commenced the mandamus action, 929  
but before the court issued any order concluding whether or not 930  
the public office or person was required to comply with division 931  
(B) of this section. No discovery may be conducted on the issue 932  
of the alleged bad faith of the public office or person 933  
responsible for the public records. This division shall not be 934  
construed as creating a presumption that the public office or 935  
the person responsible for the public records acted in bad faith 936  
when the office or person voluntarily made the public records 937  
available to the relator for the first time after the relator 938  
commenced the mandamus action, but before the court issued any 939  
order described in this division. 940

(c) The court shall not award attorney's fees to the 941  
relator if the court determines both of the following: 942

(i) That, based on the ordinary application of statutory 943  
law and case law as it existed at the time of the conduct or 944  
threatened conduct of the public office or person responsible 945  
for the requested public records that allegedly constitutes a 946  
failure to comply with an obligation in accordance with division 947  
(B) of this section and that was the basis of the mandamus 948  
action, a well-informed public office or person responsible for 949  
the requested public records reasonably would believe that the 950  
conduct or threatened conduct of the public office or person 951  
responsible for the requested public records did not constitute 952  
a failure to comply with an obligation in accordance with 953  
division (B) of this section; 954

(ii) That a well-informed public office or person 955  
responsible for the requested public records reasonably would 956  
believe that the conduct or threatened conduct of the public 957

office or person responsible for the requested public records 958  
would serve the public policy that underlies the authority that 959  
is asserted as permitting that conduct or threatened conduct. 960

(4) All of the following apply to any award of reasonable 961  
attorney's fees awarded under division (C) (3) (b) of this 962  
section: 963

(a) The fees shall be construed as remedial and not 964  
punitive. 965

(b) The fees awarded shall not exceed the total of the 966  
reasonable attorney's fees incurred before the public record was 967  
made available to the relator and the fees described in division 968  
(C) (4) (c) of this section. 969

(c) Reasonable attorney's fees shall include reasonable 970  
fees incurred to produce proof of the reasonableness and amount 971  
of the fees and to otherwise litigate entitlement to the fees. 972

(d) The court may reduce the amount of fees awarded if the 973  
court determines that, given the factual circumstances involved 974  
with the specific public records request, an alternative means 975  
should have been pursued to more effectively and efficiently 976  
resolve the dispute that was subject to the mandamus action 977  
filed under division (C) (1) of this section. 978

(5) If the court does not issue a writ of mandamus under 979  
division (C) of this section and the court determines at that 980  
time that the bringing of the mandamus action was frivolous 981  
conduct as defined in division (A) of section 2323.51 of the 982  
Revised Code, the court may award to the public office all court 983  
costs, expenses, and reasonable attorney's fees, as determined 984  
by the court. 985

(D) Chapter 1347. of the Revised Code does not limit the 986

provisions of this section. 987

(E) (1) To ensure that all employees of public offices are 988  
appropriately educated about a public office's obligations under 989  
division (B) of this section, all elected officials or their 990  
appropriate designees shall attend training approved by the 991  
attorney general as provided in section 109.43 of the Revised 992  
Code. A future official may satisfy the requirements of this 993  
division by attending the training before taking office, 994  
provided that the future official may not send a designee in the 995  
future official's place. 996

(2) All public offices shall adopt a public records policy 997  
in compliance with this section for responding to public records 998  
requests. In adopting a public records policy under this 999  
division, a public office may obtain guidance from the model 1000  
public records policy developed and provided to the public 1001  
office by the attorney general under section 109.43 of the 1002  
Revised Code. Except as otherwise provided in this section, the 1003  
policy may not limit the number of public records that the 1004  
public office will make available to a single person, may not 1005  
limit the number of public records that it will make available 1006  
during a fixed period of time, and may not establish a fixed 1007  
period of time before it will respond to a request for 1008  
inspection or copying of public records, unless that period is 1009  
less than eight hours. 1010

The public office shall distribute the public records 1011  
policy adopted by the public office under this division to the 1012  
employee of the public office who is the records custodian or 1013  
records manager or otherwise has custody of the records of that 1014  
office. The public office shall require that employee to 1015  
acknowledge receipt of the copy of the public records policy. 1016

The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

(F) (1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (F) (1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or

forward the copies for surveys, marketing, solicitation, or 1047  
resale for commercial purposes. "Bulk commercial special 1048  
extraction request" does not include a request by a person who 1049  
gives assurance to the bureau that the person making the request 1050  
does not intend to use or forward the requested copies for 1051  
surveys, marketing, solicitation, or resale for commercial 1052  
purposes. 1053

(c) "Commercial" means profit-seeking production, buying, 1054  
or selling of any good, service, or other product. 1055

(d) "Special extraction costs" means the cost of the time 1056  
spent by the lowest paid employee competent to perform the task, 1057  
the actual amount paid to outside private contractors employed 1058  
by the bureau, or the actual cost incurred to create computer 1059  
programs to make the special extraction. "Special extraction 1060  
costs" include any charges paid to a public agency for computer 1061  
or records services. 1062

(3) For purposes of divisions (F) (1) and (2) of this 1063  
section, "surveys, marketing, solicitation, or resale for 1064  
commercial purposes" shall be narrowly construed and does not 1065  
include reporting or gathering news, reporting or gathering 1066  
information to assist citizen oversight or understanding of the 1067  
operation or activities of government, or nonprofit educational 1068  
research. 1069

(G) A request by a defendant, counsel of a defendant, or 1070  
any agent of a defendant in a criminal action that public 1071  
records related to that action be made available under this 1072  
section shall be considered a demand for discovery pursuant to 1073  
the Criminal Rules, except to the extent that the Criminal Rules 1074  
plainly indicate a contrary intent. The defendant, counsel of 1075  
the defendant, or agent of the defendant making a request under 1076

this division shall serve a copy of the request on the 1077  
prosecuting attorney, director of law, or other chief legal 1078  
officer responsible for prosecuting the action. 1079

(H) (1) Any portion of a body-worn camera or dashboard 1080  
camera recording described in divisions (A) (17) (b) to (h) of 1081  
this section may be released by consent of the subject of the 1082  
recording or a representative of that person, as specified in 1083  
those divisions, only if either of the following applies: 1084

(a) The recording will not be used in connection with any 1085  
probable or pending criminal proceedings; 1086

(b) The recording has been used in connection with a 1087  
criminal proceeding that was dismissed or for which a judgment 1088  
has been entered pursuant to Rule 32 of the Rules of Criminal 1089  
Procedure, and will not be used again in connection with any 1090  
probable or pending criminal proceedings. 1091

(2) If a public office denies a request to release a 1092  
restricted portion of a body-worn camera or dashboard camera 1093  
recording, as defined in division (A) (17) of this section, any 1094  
person may file a mandamus action pursuant to this section or a 1095  
complaint with the clerk of the court of claims pursuant to 1096  
section 2743.75 of the Revised Code, requesting the court to 1097  
order the release of all or portions of the recording. If the 1098  
court considering the request determines that the filing 1099  
articulates by clear and convincing evidence that the public 1100  
interest in the recording substantially outweighs privacy 1101  
interests and other interests asserted to deny release, the 1102  
court shall order the public office to release the recording. 1103

**Sec. 149.433.** (A) As used in this section: 1104

"Act of terrorism" has the same meaning as in section 1105

2909.21 of the Revised Code. 1106

"Express statement" means a written statement 1107  
substantially similar to the following: "This information is 1108  
voluntarily submitted to a public office in expectation of 1109  
protection from disclosure as provided by section 149.433 of the 1110  
Revised Code." 1111

"Infrastructure record" means any record that discloses 1112  
the configuration of critical systems including, but not limited 1113  
to, communication, computer, electrical, mechanical, 1114  
ventilation, water, and plumbing systems, security codes, or the 1115  
infrastructure or structural configuration of a building. 1116

"Infrastructure record" includes a risk assessment of 1117  
infrastructure performed by a state or local law enforcement 1118  
agency at the request of a property owner or manager. 1119

"Infrastructure record" does not mean a simple floor plan 1120  
that discloses only the spatial relationship of components of 1121  
the building. 1122

"Security record" means any of the following: 1123

(1) Any record that contains information directly used for 1124  
protecting or maintaining the security of a public office 1125  
against attack, interference, or sabotage; 1126

(2) Any record assembled, prepared, or maintained by a 1127  
public office or public body to prevent, mitigate, or respond to 1128  
acts of terrorism, including any of the following: 1129

(a) Those portions of records containing specific and 1130  
unique vulnerability assessments or specific and unique response 1131  
plans either of which is intended to prevent or mitigate acts of 1132  
terrorism, and communication codes or deployment plans of law 1133

enforcement or emergency response personnel; 1134

(b) Specific intelligence information and specific 1135  
investigative records shared by federal and international law 1136  
enforcement agencies with state and local law enforcement and 1137  
public safety agencies; 1138

(c) National security records classified under federal 1139  
executive order and not subject to public disclosure under 1140  
federal law that are shared by federal agencies, and other 1141  
records related to national security briefings to assist state 1142  
and local government with domestic preparedness for acts of 1143  
terrorism. 1144

(3) An emergency management plan adopted pursuant to 1145  
section 5502.262 of the Revised Code. 1146

(B) (1) A-Except as otherwise provided in division (B) (4) 1147  
of this section, a record kept by a public office that is a 1148  
security record is not a public record under section 149.43 of 1149  
the Revised Code and is not subject to mandatory release or 1150  
disclosure under that section. 1151

(2) A-Except as otherwise provided in division (B) (4) of 1152  
this section, a record kept by a public office that is an 1153  
infrastructure record of a public office, public school, or a 1154  
chartered nonpublic school is not a public record under section 1155  
149.43 of the Revised Code and is not subject to mandatory 1156  
release or disclosure under that section. 1157

(3) A record kept by a public office that is an 1158  
infrastructure record of a private entity may be exempted from 1159  
release or disclosure under division (C) of this section. 1160

(4) Divisions (B) (1) and (2) of this section do not apply 1161  
to a record that is a public notification required to be 1162

provided under division (D) (1) (d) of section 2923.122 of the 1163  
Revised Code. A record that is such a public notification is a 1164  
public record to the extent that it is required to be provided 1165  
under division (D) (1) (d) of section 2923.122 of the Revised 1166  
Code. 1167

(C) A record prepared by, submitted to, or kept by a 1168  
public office that is an infrastructure record of a private 1169  
entity, which is submitted to the public office for use by the 1170  
public office, when accompanied by an express statement, is 1171  
exempt from release or disclosure under section 149.43 of the 1172  
Revised Code for a period of twenty-five years after its 1173  
creation if it is retained by the public office for that length 1174  
of time. 1175

(D) Notwithstanding any other section of the Revised Code, 1176  
disclosure by a public office, public employee, chartered 1177  
nonpublic school, or chartered nonpublic school employee of a 1178  
security record or infrastructure record that is necessary for 1179  
construction, renovation, or remodeling work on any public 1180  
building or project or chartered nonpublic school does not 1181  
constitute public disclosure for purposes of waiving division 1182  
(B) of this section and does not result in that record becoming 1183  
a public record for purposes of section 149.43 of the Revised 1184  
Code. 1185

**Sec. 2923.122.** (A) No person shall knowingly convey, or 1186  
attempt to convey, a deadly weapon or dangerous ordnance into a 1187  
school safety zone. 1188

(B) No person shall knowingly possess a deadly weapon or 1189  
dangerous ordnance in a school safety zone. 1190

(C) No person shall knowingly possess an object in a 1191

school safety zone if both of the following apply: 1192

(1) The object is indistinguishable from a firearm, 1193  
whether or not the object is capable of being fired. 1194

(2) The person indicates that the person possesses the 1195  
object and that it is a firearm, or the person knowingly 1196  
displays or brandishes the object and indicates that it is a 1197  
firearm. 1198

(D) (1) This section does not apply to any of the 1199  
following: 1200

(a) An officer, agent, or employee of this or any other 1201  
state or the United States who is authorized to carry deadly 1202  
weapons or dangerous ordnance and is acting within the scope of 1203  
the officer's, agent's, or employee's duties, ~~or~~; 1204

(b) A law enforcement officer who is authorized to carry 1205  
deadly weapons or dangerous ordnance, ~~or~~; 1206

(c) A security officer employed by a board of education or 1207  
governing body of a school during the time that the security 1208  
officer is on duty pursuant to that contract of employment, ~~or~~ 1209  
~~any other~~; 1210

(d) Any person not described in divisions (D) (1) (a) to (c) 1211  
of this section who has written authorization from the board of 1212  
education or governing body of a school to convey deadly weapons 1213  
or dangerous ordnance into a school safety zone or to possess a 1214  
deadly weapon or dangerous ordnance in a school safety zone and 1215  
who conveys or possesses the deadly weapon or dangerous ordnance 1216  
in accordance with that authorization, provided both of the 1217  
following apply: 1218

(i) Either the person has successfully completed the 1219

curriculum, instruction, and training established under section 1220  
5502.703 of the Revised Code, or the person has received a 1221  
certificate of having satisfactorily completed an approved basic 1222  
peace officer training program or is a law enforcement officer; 1223

~~(b)~~ (ii) The board or governing body has notified the 1224  
public, by whatever means the affected school regularly 1225  
communicates with the public, that the board or governing body 1226  
has authorized one or more persons to go armed within a school 1227  
operated by the board or governing authority. 1228

A district board or school governing body that authorizes 1229  
a person under division (D) (1) (d) of this section shall require 1230  
that person to submit to an annual criminal records check 1231  
conducted in the same manner as section 3319.39 or 3319.391 of 1232  
the Revised Code. 1233

(e) Any person who is employed in this state, who is 1234  
authorized to carry deadly weapons or dangerous ordnance, and 1235  
who is subject to and in compliance with the requirements of 1236  
section 109.801 of the Revised Code, unless the appointing 1237  
authority of the person has expressly specified that the 1238  
exemption provided in division ~~(D) (1) (b)~~ (D) (1) (e) of this 1239  
section does not apply to the person. 1240

(2) Division (C) of this section does not apply to 1241  
premises upon which home schooling is conducted. Division (C) of 1242  
this section also does not apply to a school administrator, 1243  
teacher, or employee who possesses an object that is 1244  
indistinguishable from a firearm for legitimate school purposes 1245  
during the course of employment, a student who uses an object 1246  
that is indistinguishable from a firearm under the direction of 1247  
a school administrator, teacher, or employee, or any other 1248  
person who with the express prior approval of a school 1249

administrator possesses an object that is indistinguishable from 1250  
a firearm for a legitimate purpose, including the use of the 1251  
object in a ceremonial activity, a play, reenactment, or other 1252  
dramatic presentation, school safety training, or a ROTC 1253  
activity or another similar use of the object. 1254

(3) This section does not apply to a person who conveys or 1255  
attempts to convey a handgun into, or possesses a handgun in, a 1256  
school safety zone if, at the time of that conveyance, attempted 1257  
conveyance, or possession of the handgun, all of the following 1258  
apply: 1259

(a) The person does not enter into a school building or 1260  
onto school premises and is not at a school activity. 1261

(b) The person has been issued a concealed handgun license 1262  
that is valid at the time of the conveyance, attempted 1263  
conveyance, or possession or the person is an active duty member 1264  
of the armed forces of the United States and is carrying a valid 1265  
military identification card and documentation of successful 1266  
completion of firearms training that meets or exceeds the 1267  
training requirements described in division (G) (1) of section 1268  
2923.125 of the Revised Code. 1269

(c) The person is in the school safety zone in accordance 1270  
with 18 U.S.C. 922(q) (2) (B). 1271

(d) The person is not knowingly in a place described in 1272  
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 1273  
Revised Code. 1274

(4) This section does not apply to a person who conveys or 1275  
attempts to convey a handgun into, or possesses a handgun in, a 1276  
school safety zone if at the time of that conveyance, attempted 1277  
conveyance, or possession of the handgun all of the following 1278

apply: 1279

(a) The person has been issued a concealed handgun license 1280  
that is valid at the time of the conveyance, attempted 1281  
conveyance, or possession or the person is an active duty member 1282  
of the armed forces of the United States and is carrying a valid 1283  
military identification card and documentation of successful 1284  
completion of firearms training that meets or exceeds the 1285  
training requirements described in division (G)(1) of section 1286  
2923.125 of the Revised Code. 1287

(b) The person leaves the handgun in a motor vehicle. 1288

(c) The handgun does not leave the motor vehicle. 1289

(d) If the person exits the motor vehicle, the person 1290  
locks the motor vehicle. 1291

(E)(1) Whoever violates division (A) or (B) of this 1292  
section is guilty of illegal conveyance or possession of a 1293  
deadly weapon or dangerous ordnance in a school safety zone. 1294  
Except as otherwise provided in this division, illegal 1295  
conveyance or possession of a deadly weapon or dangerous 1296  
ordnance in a school safety zone is a felony of the fifth 1297  
degree. If the offender previously has been convicted of a 1298  
violation of this section, illegal conveyance or possession of a 1299  
deadly weapon or dangerous ordnance in a school safety zone is a 1300  
felony of the fourth degree. 1301

(2) Whoever violates division (C) of this section is 1302  
guilty of illegal possession of an object indistinguishable from 1303  
a firearm in a school safety zone. Except as otherwise provided 1304  
in this division, illegal possession of an object 1305  
indistinguishable from a firearm in a school safety zone is a 1306  
misdemeanor of the first degree. If the offender previously has 1307

been convicted of a violation of this section, illegal 1308  
possession of an object indistinguishable from a firearm in a 1309  
school safety zone is a felony of the fifth degree. 1310

(F) (1) In addition to any other penalty imposed upon a 1311  
person who is convicted of or pleads guilty to a violation of 1312  
this section and subject to division (F) (2) of this section, if 1313  
the offender has not attained nineteen years of age, regardless 1314  
of whether the offender is attending or is enrolled in a school 1315  
operated by a board of education or for which the state board of 1316  
education prescribes minimum standards under section 3301.07 of 1317  
the Revised Code, the court shall impose upon the offender a 1318  
class four suspension of the offender's probationary driver's 1319  
license, restricted license, driver's license, commercial 1320  
driver's license, temporary instruction permit, or probationary 1321  
commercial driver's license that then is in effect from the 1322  
range specified in division (A) (4) of section 4510.02 of the 1323  
Revised Code and shall deny the offender the issuance of any 1324  
permit or license of that type during the period of the 1325  
suspension. 1326

If the offender is not a resident of this state, the court 1327  
shall impose a class four suspension of the nonresident 1328  
operating privilege of the offender from the range specified in 1329  
division (A) (4) of section 4510.02 of the Revised Code. 1330

(2) If the offender shows good cause why the court should 1331  
not suspend one of the types of licenses, permits, or privileges 1332  
specified in division (F) (1) of this section or deny the 1333  
issuance of one of the temporary instruction permits specified 1334  
in that division, the court in its discretion may choose not to 1335  
impose the suspension, revocation, or denial required in that 1336  
division, but the court, in its discretion, instead may require 1337

the offender to perform community service for a number of hours 1338  
determined by the court. 1339

(G) As used in this section, "object that is 1340  
indistinguishable from a firearm" means an object made, 1341  
constructed, or altered so that, to a reasonable person without 1342  
specialized training in firearms, the object appears to be a 1343  
firearm. 1344

**Sec. 3314.03.** A copy of every contract entered into under 1345  
this section shall be filed with the superintendent of public 1346  
instruction. The department of education shall make available on 1347  
its web site a copy of every approved, executed contract filed 1348  
with the superintendent under this section. 1349

(A) Each contract entered into between a sponsor and the 1350  
governing authority of a community school shall specify the 1351  
following: 1352

(1) That the school shall be established as either of the 1353  
following: 1354

(a) A nonprofit corporation established under Chapter 1355  
1702. of the Revised Code, if established prior to April 8, 1356  
2003; 1357

(b) A public benefit corporation established under Chapter 1358  
1702. of the Revised Code, if established after April 8, 2003. 1359

(2) The education program of the school, including the 1360  
school's mission, the characteristics of the students the school 1361  
is expected to attract, the ages and grades of students, and the 1362  
focus of the curriculum; 1363

(3) The academic goals to be achieved and the method of 1364  
measurement that will be used to determine progress toward those 1365

goals, which shall include the statewide achievement 1366  
assessments; 1367

(4) Performance standards, including but not limited to 1368  
all applicable report card measures set forth in section 3302.03 1369  
or 3314.017 of the Revised Code, by which the success of the 1370  
school will be evaluated by the sponsor; 1371

(5) The admission standards of section 3314.06 of the 1372  
Revised Code and, if applicable, section 3314.061 of the Revised 1373  
Code; 1374

(6) (a) Dismissal procedures; 1375

(b) A requirement that the governing authority adopt an 1376  
attendance policy that includes a procedure for automatically 1377  
withdrawing a student from the school if the student without a 1378  
legitimate excuse fails to participate in seventy-two 1379  
consecutive hours of the learning opportunities offered to the 1380  
student. 1381

(7) The ways by which the school will achieve racial and 1382  
ethnic balance reflective of the community it serves; 1383

(8) Requirements for financial audits by the auditor of 1384  
state. The contract shall require financial records of the 1385  
school to be maintained in the same manner as are financial 1386  
records of school districts, pursuant to rules of the auditor of 1387  
state. Audits shall be conducted in accordance with section 1388  
117.10 of the Revised Code. 1389

(9) An addendum to the contract outlining the facilities 1390  
to be used that contains at least the following information: 1391

(a) A detailed description of each facility used for 1392  
instructional purposes; 1393

(b) The annual costs associated with leasing each facility	1394
that are paid by or on behalf of the school;	1395
(c) The annual mortgage principal and interest payments	1396
that are paid by the school;	1397
(d) The name of the lender or landlord, identified as	1398
such, and the lender's or landlord's relationship to the	1399
operator, if any.	1400
(10) Qualifications of teachers, including a requirement	1401
that the school's classroom teachers be licensed in accordance	1402
with sections 3319.22 to 3319.31 of the Revised Code, except	1403
that a community school may engage noncertificated persons to	1404
teach up to twelve hours or forty hours per week pursuant to	1405
section 3319.301 of the Revised Code.	1406
(11) That the school will comply with the following	1407
requirements:	1408
(a) The school will provide learning opportunities to a	1409
minimum of twenty-five students for a minimum of nine hundred	1410
twenty hours per school year.	1411
(b) The governing authority will purchase liability	1412
insurance, or otherwise provide for the potential liability of	1413
the school.	1414
(c) The school will be nonsectarian in its programs,	1415
admission policies, employment practices, and all other	1416
operations, and will not be operated by a sectarian school or	1417
religious institution.	1418
(d) The school will comply with sections 9.90, 9.91,	1419
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	1420
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	1421

3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 1422  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1423  
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411, 1424  
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 1425  
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 1426  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 1427  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 1428  
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 1429  
3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 3319.393, 1430  
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 1431  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3323.251, 1432  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 1433  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 1434  
and 4167. of the Revised Code as if it were a school district 1435  
and will comply with section 3301.0714 of the Revised Code in 1436  
the manner specified in section 3314.17 of the Revised Code. 1437

(e) The school shall comply with Chapter 102. and section 1438  
2921.42 of the Revised Code. 1439

(f) The school will comply with sections 3313.61, 1440  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1441  
Revised Code, except that for students who enter ninth grade for 1442  
the first time before July 1, 2010, the requirement in sections 1443  
3313.61 and 3313.611 of the Revised Code that a person must 1444  
successfully complete the curriculum in any high school prior to 1445  
receiving a high school diploma may be met by completing the 1446  
curriculum adopted by the governing authority of the community 1447  
school rather than the curriculum specified in Title XXXIII of 1448  
the Revised Code or any rules of the state board of education. 1449  
Beginning with students who enter ninth grade for the first time 1450  
on or after July 1, 2010, the requirement in sections 3313.61 1451  
and 3313.611 of the Revised Code that a person must successfully 1452

complete the curriculum of a high school prior to receiving a 1453  
high school diploma shall be met by completing the requirements 1454  
prescribed in section 3313.6027 and division (C) of section 1455  
3313.603 of the Revised Code, unless the person qualifies under 1456  
division (D) or (F) of that section. Each school shall comply 1457  
with the plan for awarding high school credit based on 1458  
demonstration of subject area competency, and beginning with the 1459  
2017-2018 school year, with the updated plan that permits 1460  
students enrolled in seventh and eighth grade to meet curriculum 1461  
requirements based on subject area competency adopted by the 1462  
state board of education under divisions (J) (1) and (2) of 1463  
section 3313.603 of the Revised Code. Beginning with the 2018- 1464  
2019 school year, the school shall comply with the framework for 1465  
granting units of high school credit to students who demonstrate 1466  
subject area competency through work-based learning experiences, 1467  
internships, or cooperative education developed by the 1468  
department under division (J) (3) of section 3313.603 of the 1469  
Revised Code. 1470

(g) The school governing authority will submit within four 1471  
months after the end of each school year a report of its 1472  
activities and progress in meeting the goals and standards of 1473  
divisions (A) (3) and (4) of this section and its financial 1474  
status to the sponsor and the parents of all students enrolled 1475  
in the school. 1476

(h) The school, unless it is an internet- or computer- 1477  
based community school, will comply with section 3313.801 of the 1478  
Revised Code as if it were a school district. 1479

(i) If the school is the recipient of moneys from a grant 1480  
awarded under the federal race to the top program, Division (A), 1481  
Title XIV, Sections 14005 and 14006 of the "American Recovery 1482

and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1483  
the school will pay teachers based upon performance in 1484  
accordance with section 3317.141 and will comply with section 1485  
3319.111 of the Revised Code as if it were a school district. 1486

(j) If the school operates a preschool program that is 1487  
licensed by the department of education under sections 3301.52 1488  
to 3301.59 of the Revised Code, the school shall comply with 1489  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 1490  
standards for preschool programs prescribed in rules adopted by 1491  
the state board under section 3301.53 of the Revised Code. 1492

(k) The school will comply with sections 3313.6021 and 1493  
3313.6023 of the Revised Code as if it were a school district 1494  
unless it is either of the following: 1495

(i) An internet- or computer-based community school; 1496

(ii) A community school in which a majority of the 1497  
enrolled students are children with disabilities as described in 1498  
division (A) (4) (b) of section 3314.35 of the Revised Code. 1499

(l) The school will comply with section 3321.191 of the 1500  
Revised Code, unless it is an internet- or computer-based 1501  
community school that is subject to section 3314.261 of the 1502  
Revised Code. 1503

(12) Arrangements for providing health and other benefits 1504  
to employees; 1505

(13) The length of the contract, which shall begin at the 1506  
beginning of an academic year. No contract shall exceed five 1507  
years unless such contract has been renewed pursuant to division 1508  
(E) of this section. 1509

(14) The governing authority of the school, which shall be 1510

responsible for carrying out the provisions of the contract; 1511

(15) A financial plan detailing an estimated school budget 1512  
for each year of the period of the contract and specifying the 1513  
total estimated per pupil expenditure amount for each such year. 1514

(16) Requirements and procedures regarding the disposition 1515  
of employees of the school in the event the contract is 1516  
terminated or not renewed pursuant to section 3314.07 of the 1517  
Revised Code; 1518

(17) Whether the school is to be created by converting all 1519  
or part of an existing public school or educational service 1520  
center building or is to be a new start-up school, and if it is 1521  
a converted public school or service center building, 1522  
specification of any duties or responsibilities of an employer 1523  
that the board of education or service center governing board 1524  
that operated the school or building before conversion is 1525  
delegating to the governing authority of the community school 1526  
with respect to all or any specified group of employees provided 1527  
the delegation is not prohibited by a collective bargaining 1528  
agreement applicable to such employees; 1529

(18) Provisions establishing procedures for resolving 1530  
disputes or differences of opinion between the sponsor and the 1531  
governing authority of the community school; 1532

(19) A provision requiring the governing authority to 1533  
adopt a policy regarding the admission of students who reside 1534  
outside the district in which the school is located. That policy 1535  
shall comply with the admissions procedures specified in 1536  
sections 3314.06 and 3314.061 of the Revised Code and, at the 1537  
sole discretion of the authority, shall do one of the following: 1538

(a) Prohibit the enrollment of students who reside outside 1539

the district in which the school is located;	1540
(b) Permit the enrollment of students who reside in	1541
districts adjacent to the district in which the school is	1542
located;	1543
(c) Permit the enrollment of students who reside in any	1544
other district in the state.	1545
(20) A provision recognizing the authority of the	1546
department of education to take over the sponsorship of the	1547
school in accordance with the provisions of division (C) of	1548
section 3314.015 of the Revised Code;	1549
(21) A provision recognizing the sponsor's authority to	1550
assume the operation of a school under the conditions specified	1551
in division (B) of section 3314.073 of the Revised Code;	1552
(22) A provision recognizing both of the following:	1553
(a) The authority of public health and safety officials to	1554
inspect the facilities of the school and to order the facilities	1555
closed if those officials find that the facilities are not in	1556
compliance with health and safety laws and regulations;	1557
(b) The authority of the department of education as the	1558
community school oversight body to suspend the operation of the	1559
school under section 3314.072 of the Revised Code if the	1560
department has evidence of conditions or violations of law at	1561
the school that pose an imminent danger to the health and safety	1562
of the school's students and employees and the sponsor refuses	1563
to take such action.	1564
(23) A description of the learning opportunities that will	1565
be offered to students including both classroom-based and non-	1566
classroom-based learning opportunities that is in compliance	1567

with criteria for student participation established by the 1568  
department under division (H) (2) of section 3314.08 of the 1569  
Revised Code; 1570

(24) The school will comply with sections 3302.04 and 1571  
3302.041 of the Revised Code, except that any action required to 1572  
be taken by a school district pursuant to those sections shall 1573  
be taken by the sponsor of the school. However, the sponsor 1574  
shall not be required to take any action described in division 1575  
(F) of section 3302.04 of the Revised Code. 1576

(25) Beginning in the 2006-2007 school year, the school 1577  
will open for operation not later than the thirtieth day of 1578  
September each school year, unless the mission of the school as 1579  
specified under division (A) (2) of this section is solely to 1580  
serve dropouts. In its initial year of operation, if the school 1581  
fails to open by the thirtieth day of September, or within one 1582  
year after the adoption of the contract pursuant to division (D) 1583  
of section 3314.02 of the Revised Code if the mission of the 1584  
school is solely to serve dropouts, the contract shall be void. 1585

(26) Whether the school's governing authority is planning 1586  
to seek designation for the school as a STEM school equivalent 1587  
under section 3326.032 of the Revised Code; 1588

(27) That the school's attendance and participation 1589  
policies will be available for public inspection; 1590

(28) That the school's attendance and participation 1591  
records shall be made available to the department of education, 1592  
auditor of state, and school's sponsor to the extent permitted 1593  
under and in accordance with the "Family Educational Rights and 1594  
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 1595  
and any regulations promulgated under that act, and section 1596

3319.321 of the Revised Code;	1597
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	1598 1599 1600
(a) An indication of what blended learning model or models will be used;	1601 1602
(b) A description of how student instructional needs will be determined and documented;	1603 1604
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	1605 1606
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	1607 1608 1609
(e) A statement describing how student progress will be monitored;	1610 1611
(f) A statement describing how private student data will be protected;	1612 1613
(g) A description of the professional development activities that will be offered to teachers.	1614 1615
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	1616 1617 1618 1619
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has	1620 1621 1622 1623

contracted. 1624

(32) A provision requiring the governing authority to 1625  
adopt an enrollment and attendance policy that requires a 1626  
student's parent to notify the community school in which the 1627  
student is enrolled when there is a change in the location of 1628  
the parent's or student's primary residence. 1629

(33) A provision requiring the governing authority to 1630  
adopt a student residence and address verification policy for 1631  
students enrolling in or attending the school. 1632

(B) The community school shall also submit to the sponsor 1633  
a comprehensive plan for the school. The plan shall specify the 1634  
following: 1635

(1) The process by which the governing authority of the 1636  
school will be selected in the future; 1637

(2) The management and administration of the school; 1638

(3) If the community school is a currently existing public 1639  
school or educational service center building, alternative 1640  
arrangements for current public school students who choose not 1641  
to attend the converted school and for teachers who choose not 1642  
to teach in the school or building after conversion; 1643

(4) The instructional program and educational philosophy 1644  
of the school; 1645

(5) Internal financial controls. 1646

When submitting the plan under this division, the school 1647  
shall also submit copies of all policies and procedures 1648  
regarding internal financial controls adopted by the governing 1649  
authority of the school. 1650

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;

(5) Take steps to intervene in the school's operation to

correct problems in the school's overall performance, declare 1680  
the school to be on probationary status pursuant to section 1681  
3314.073 of the Revised Code, suspend the operation of the 1682  
school pursuant to section 3314.072 of the Revised Code, or 1683  
terminate the contract of the school pursuant to section 3314.07 1684  
of the Revised Code as determined necessary by the sponsor; 1685

(6) Have in place a plan of action to be undertaken in the 1686  
event the community school experiences financial difficulties or 1687  
closes prior to the end of a school year. 1688

(E) Upon the expiration of a contract entered into under 1689  
this section, the sponsor of a community school may, with the 1690  
approval of the governing authority of the school, renew that 1691  
contract for a period of time determined by the sponsor, but not 1692  
ending earlier than the end of any school year, if the sponsor 1693  
finds that the school's compliance with applicable laws and 1694  
terms of the contract and the school's progress in meeting the 1695  
academic goals prescribed in the contract have been 1696  
satisfactory. Any contract that is renewed under this division 1697  
remains subject to the provisions of sections 3314.07, 3314.072, 1698  
and 3314.073 of the Revised Code. 1699

(F) If a community school fails to open for operation 1700  
within one year after the contract entered into under this 1701  
section is adopted pursuant to division (D) of section 3314.02 1702  
of the Revised Code or permanently closes prior to the 1703  
expiration of the contract, the contract shall be void and the 1704  
school shall not enter into a contract with any other sponsor. A 1705  
school shall not be considered permanently closed because the 1706  
operations of the school have been suspended pursuant to section 1707  
3314.072 of the Revised Code. 1708

**Sec. 3326.11.** Each science, technology, engineering, and 1709

mathematics school established under this chapter and its 1710  
governing body shall comply with sections 9.90, 9.91, 109.65, 1711  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1712  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 1713  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 1714  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 1715  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1716  
3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.61, 3313.611, 1717  
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 1718  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 1719  
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 1720  
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 1721  
3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 1722  
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 1723  
3319.073, 3319.077, 3319.078, 3319.21, 3319.238, 3319.318, 1724  
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.393, 1725  
3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 1726  
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 1727  
3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 1728  
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 1729  
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 1730  
4167. of the Revised Code as if it were a school district. 1731

**Sec. 5502.01.** (A) The department of public safety shall 1732  
administer and enforce the laws relating to the registration, 1733  
licensing, sale, and operation of motor vehicles and the laws 1734  
pertaining to the licensing of drivers of motor vehicles. 1735

The department shall compile, analyze, and publish 1736  
statistics relative to motor vehicle accidents and the causes of 1737  
them, prepare and conduct educational programs for the purpose 1738  
of promoting safety in the operation of motor vehicles on the 1739  
highways, and conduct research and studies for the purpose of 1740

promoting safety on the highways of this state. 1741

(B) The department shall administer the laws and rules 1742  
relative to trauma and emergency medical services specified in 1743  
Chapter 4765. of the Revised Code and any laws and rules 1744  
relative to medical transportation services specified in Chapter 1745  
4766. of the Revised Code. 1746

(C) The department shall administer and enforce the laws 1747  
contained in Chapters 4301. and 4303. of the Revised Code and 1748  
enforce the rules and orders of the liquor control commission 1749  
pertaining to retail liquor permit holders. 1750

(D) The department shall administer the laws governing the 1751  
state emergency management agency and shall enforce all 1752  
additional duties and responsibilities as prescribed in the 1753  
Revised Code related to emergency management services. 1754

(E) The department shall conduct investigations pursuant 1755  
to Chapter 5101. of the Revised Code in support of the duty of 1756  
the department of job and family services to administer the 1757  
supplemental nutrition assistance program throughout this state. 1758  
The department of public safety shall conduct investigations 1759  
necessary to protect the state's property rights and interests 1760  
in the supplemental nutrition assistance program. 1761

(F) The department of public safety shall enforce 1762  
compliance with orders and rules of the public utilities 1763  
commission and applicable laws in accordance with Chapters 1764  
4905., 4921., and 4923. of the Revised Code regarding commercial 1765  
motor vehicle transportation safety, economic, and hazardous 1766  
materials requirements. 1767

(G) Notwithstanding Chapter 4117. of the Revised Code, the 1768  
department of public safety may establish requirements for its 1769

enforcement personnel, including its enforcement agents 1770  
described in section 5502.14 of the Revised Code, that include 1771  
standards of conduct, work rules and procedures, and criteria 1772  
for eligibility as law enforcement personnel. 1773

(H) The department shall administer, maintain, and operate 1774  
the Ohio criminal justice network. The Ohio criminal justice 1775  
network shall be a computer network that supports state and 1776  
local criminal justice activities. The network shall be an 1777  
electronic repository for various data, which may include arrest 1778  
warrants, notices of persons wanted by law enforcement agencies, 1779  
criminal records, prison inmate records, stolen vehicle records, 1780  
vehicle operator's licenses, and vehicle registrations and 1781  
titles. 1782

(I) The department shall coordinate all homeland security 1783  
activities of all state agencies and shall be a liaison between 1784  
state agencies and local entities for those activities and 1785  
related purposes. 1786

(J) ~~Beginning July 1, 2004, the~~ The department shall 1787  
administer and enforce the laws relative to private 1788  
investigators and security service providers specified in 1789  
Chapter 4749. of the Revised Code. 1790

(K) The department shall administer criminal justice 1791  
services in accordance with sections 5502.61 to 5502.66 of the 1792  
Revised Code. 1793

(L) The department shall administer the Ohio school safety 1794  
and crisis center and the Ohio mobile training team in 1795  
accordance with sections 5502.70 to 5502.703 of the Revised 1796  
Code. 1797

(M) The department shall coordinate security measures and 1798

operations, and may direct the department of administrative 1799  
services to implement any security measures and operations the 1800  
department of public safety requires, at the Vern Riffe Center 1801  
and the James A. Rhodes state office tower. 1802

Notwithstanding section 125.28 of the Revised Code, the 1803  
director of public safety may recover the costs of directing 1804  
security measures and operations under this division by either 1805  
issuing intrastate transfer voucher billings to the department 1806  
of administrative services, which the department shall process 1807  
to pay for the costs, or, upon the request of the director of 1808  
administrative services, the director of budget and management 1809  
may transfer cash in the requested amount from the building 1810  
management fund created under section 125.28 of the Revised 1811  
Code. Payments received or cash transfers made under this 1812  
division for the costs of directing security measures and 1813  
operations shall be deposited into the state treasury to the 1814  
credit of the security, investigations, and policing fund 1815  
created under section 4501.11 of the Revised Code. 1816

**Sec. 5502.262.** (A) As used in this section: 1817

(1) "Administrator" means the superintendent, principal, 1818  
chief administrative officer, or other person having supervisory 1819  
authority of any of the following: 1820

(a) A city, exempted village, local, or joint vocational 1821  
school district; 1822

(b) A community school established under Chapter 3314. of 1823  
the Revised Code, as required through reference in division (A) 1824  
(11)(d) of section 3314.03 of the Revised Code; 1825

(c) A STEM school established under Chapter 3326. of the 1826  
Revised Code, as required through reference in section 3326.11 1827

of the Revised Code;	1828
(d) A college-preparatory boarding school established	1829
under Chapter 3328. of the Revised Code;	1830
(e) A district or school operating a career-technical	1831
education program approved by the department of education under	1832
section 3317.161 of the Revised Code;	1833
(f) A chartered nonpublic school;	1834
(g) An educational service center;	1835
(h) A preschool program or school-age child care program	1836
licensed by the department of education;	1837
(i) Any other facility that primarily provides educational	1838
services to children subject to regulation by the department of	1839
education.	1840
(2) "Emergency management test" means a regularly	1841
scheduled drill, exercise, or activity designed to assess and	1842
evaluate an emergency management plan under this section.	1843
(3) "Building" means any school, school building,	1844
facility, program, or center.	1845
<u>(4) "Regional mobile training officer" means the regional</u>	1846
<u>mobile training officer appointed under section 5502.70 of the</u>	1847
<u>Revised Code for the region in which a district, school, center,</u>	1848
<u>program, or facility is located.</u>	1849
(B) (1) Each administrator shall develop and adopt a	1850
comprehensive emergency management plan, in accordance with	1851
rules adopted pursuant to division (F) of this section, for each	1852
building under the administrator's control. The administrator	1853
shall examine the environmental conditions and operations of	1854

each building to determine potential hazards to student and 1855  
staff safety and shall propose operating changes to promote the 1856  
prevention of potentially dangerous problems and circumstances. 1857  
In developing the plan for each building, the administrator 1858  
shall involve community law enforcement and safety officials, 1859  
parents of students who are assigned to the building, and 1860  
teachers and nonteaching employees who are assigned to the 1861  
building. The administrator may involve the regional mobile 1862  
training officer in the development of the plan. The 1863  
administrator shall incorporate remediation strategies into the 1864  
plan for any building where documented safety problems have 1865  
occurred. 1866

(2) Each administrator shall also incorporate into the 1867  
emergency management plan adopted under division (B)(1) of this 1868  
section all of the following: 1869

(a) A protocol for addressing serious threats to the 1870  
safety of property, students, employees, or administrators; 1871

(b) A protocol for responding to any emergency events that 1872  
occur and compromise the safety of property, students, 1873  
employees, or administrators. This protocol shall include, but 1874  
not be limited to, all of the following: 1875

(i) A floor plan that is unique to each floor of the 1876  
building; 1877

(ii) A site plan that includes all building property and 1878  
surrounding property; 1879

(iii) An emergency contact information sheet. 1880

(c) A threat assessment plan developed as prescribed in 1881  
section 5502.263 of the Revised Code. A building may use the 1882  
model plan developed by the department of public safety under 1883

that section; 1884

(d) A protocol for school threat assessment teams 1885  
established under section 3313.669 of the Revised Code. 1886

(3) Each protocol described in division (B) of this 1887  
section shall include procedures determined to be appropriate by 1888  
the administrator for responding to threats and emergency 1889  
events, respectively, including such things as notification of 1890  
appropriate law enforcement personnel, calling upon specified 1891  
emergency response personnel for assistance, and informing 1892  
parents of affected students. 1893

Prior to the opening day of each school year, the 1894  
administrator shall inform each student or child enrolled in the 1895  
school and the student's or child's parent of the parental 1896  
notification procedures included in the protocol. 1897

(4) Each administrator shall keep a copy of the emergency 1898  
management plan adopted pursuant to this section in a secure 1899  
place. 1900

(C) (1) The administrator shall submit to the director of 1901  
public safety, in accordance with rules adopted pursuant to 1902  
division (F) of this section, an electronic copy of the 1903  
emergency management plan prescribed by division (B) of this 1904  
section not less than once every three years, whenever a major 1905  
modification to the building requires changes in the procedures 1906  
outlined in the plan, and whenever information on the emergency 1907  
contact information sheet changes. 1908

(2) The administrator also shall file a copy of the plan 1909  
with each law enforcement agency that has jurisdiction over the 1910  
school building and, upon request, to any of the following: 1911

(a) The fire department that serves the political 1912

subdivision in which the building is located;	1913
(b) The emergency medical service organization that serves	1914
the political subdivision in which the building is located;	1915
(c) The county emergency management agency for the county	1916
in which the building is located;	1917
<u>(d) The regional mobile training officer.</u>	1918
(3) Upon receipt of an emergency management plan, the	1919
director shall post the information on the contact and	1920
information management system and submit the information in	1921
accordance with rules adopted pursuant to division (F) of this	1922
section, to the attorney general, who shall post that	1923
information on the Ohio law enforcement gateway or its	1924
successor.	1925
(4) Any department or entity to which copies of an	1926
emergency management plan are filed under this section shall	1927
keep the copies in a secure place.	1928
(D) (1) Not later than the first day of July of each year,	1929
each administrator shall review the emergency management plan	1930
and certify to the director that the plan is current and	1931
accurate.	1932
(2) Anytime that an administrator updates the emergency	1933
management plan pursuant to division (C) (1) of this section, the	1934
administrator shall file copies, not later than the tenth day	1935
after the revision is adopted and in accordance with rules	1936
adopted pursuant to division (F) of this section, to the	1937
director and to any entity with which the administrator filed a	1938
copy under division (C) (2) of this section.	1939
(E) Each administrator shall do both of the following:	1940

(1) Prepare and conduct at least one annual emergency management test, as defined in division (A) (2) of this section, in accordance with rules adopted pursuant to division (F) of this section;

(2) Grant access to each building under the control of the administrator to law enforcement personnel and to entities described in division (C) (2) of this section, to enable the personnel and entities to hold training sessions for responding to threats and emergency events affecting the building, provided that the access occurs outside of student instructional hours and the administrator, or the administrator's designee, is present in the building during the training sessions.

(F) The director of public safety, in consultation with representatives from the education community and in accordance with Chapter 119. of the Revised Code, shall adopt rules regarding emergency management plans under this section, including the content of the plans and procedures for filing the plans. The rules shall specify that plans and information required under division (B) of this section be submitted on standardized forms developed by the director for such purpose. The rules shall also specify the requirements and procedures for emergency management tests conducted pursuant to division (E) (1) of this section. Failure to comply with the rules may result in discipline pursuant to section 3319.31 of the Revised Code or any other action against the administrator as prescribed by rule.

(G) Division (B) of section 3319.31 of the Revised Code applies to any administrator who is subject to the requirements of this section and is not exempt under division (H) of this section and who is an applicant for a license or holds a license

from the state board of education pursuant to section 3319.22 of 1971  
the Revised Code. 1972

(H) (1) The director may exempt any administrator from the 1973  
requirements of this section, if the director determines that 1974  
the requirements do not otherwise apply to a building or 1975  
buildings under the control of that administrator. 1976

(2) The director shall exempt from the requirements of 1977  
this section the administrator of an online learning school, 1978  
established under section 3302.42 of the Revised Code, unless 1979  
students of that school participate in in-person instruction or 1980  
assessments at a location that is not covered by an existing 1981  
emergency management plan, developed under this section as of 1982  
~~the effective date of this amendment~~ December 14, 2021. 1983

(I) Copies of the emergency management plan and 1984  
information required under division (B) of this section are 1985  
security records and are not public records pursuant to section 1986  
149.433 of the Revised Code. In addition, the information posted 1987  
to the contact and information management system, pursuant to 1988  
division (C) (3) (b) of this section, is exempt from public 1989  
disclosure or release in accordance with sections 149.43, 1990  
149.433, and 5502.03 of the Revised Code. 1991

Notwithstanding section 149.433 of the Revised Code, a 1992  
floor plan filed with the attorney general pursuant to this 1993  
section is not a public record to the extent it is a record kept 1994  
by the attorney general. 1995

Sec. 5502.70. (A) There is hereby created in the 1996  
department of public safety the Ohio mobile training team, which 1997  
shall be administered by a chief mobile training officer. The 1998  
team shall provide services to public and nonpublic schools 1999

regarding school safety and security. 2000

(B) Not later than ninety days after the effective date of 2001  
this section, the director of public safety shall appoint an 2002  
individual who satisfies the criteria specified in division (B) 2003  
of section 5502.701 of the Revised Code as the chief mobile 2004  
training officer, who shall serve at the pleasure of the 2005  
director. To carry out the duties prescribed by this section or 2006  
sections 5502.702 and 5502.703 of the Revised Code, the chief 2007  
mobile training officer may hire and maintain necessary staff 2008  
and may enter into any necessary agreements. 2009

(C) Not later than ninety days after the appointment of 2010  
the chief mobile training officer, the director of public safety 2011  
shall appoint sixteen regional mobile training officers, each of 2012  
whom shall satisfy the criteria specified in division (B) of 2013  
section 5502.701 of the Revised Code, to conduct the duties 2014  
described in sections 5502.702 and 5502.703 of the Revised Code. 2015

The regions shall be the same as those described in 2016  
division (A) of section 3312.02 of the Revised Code. To carry 2017  
out the duties prescribed by sections 5502.702 and 5502.703 of 2018  
the Revised Code, a regional mobile training officer may hire 2019  
and maintain necessary staff and may enter into any necessary 2020  
agreements. 2021

(D) Except as otherwise provided by law, nothing in this 2022  
section or in sections 5502.702 and 5502.703 of the Revised Code 2023  
shall be construed to give the director of public safety, the 2024  
chief mobile training officer, or a regional mobile training 2025  
officer authority over the incident management structure or 2026  
responsibilities of local emergency response personnel. 2027

(E) The department of public safety, in accordance with 2028

Chapter 119. of the Revised Code, shall adopt rules with respect 2029  
to the Ohio mobile training team. The rules shall be made 2030  
available for public inspection at the department of public 2031  
safety and at other places and during reasonable hours as fixed 2032  
by the chief mobile training officer of the Ohio mobile training 2033  
team. 2034

**Sec. 5502.701.** (A) As used in this section, "veteran" 2035  
means any person who has completed service in the armed forces 2036  
of the United States and who has been honorably discharged under 2037  
honorable conditions from the armed forces, or who has been 2038  
transferred to the reserve with evidence of satisfactory 2039  
service. 2040

(B) No person is eligible for appointment to the position 2041  
of chief mobile training officer or the position of regional 2042  
mobile training officer unless that person meets the following 2043  
requirements: 2044

(1) The person is a licensed peace officer, as defined in 2045  
division (A)(1) of section 109.71 of the Revised Code; or 2046

(2) The person is a veteran, as defined in division (A) of 2047  
this section; and 2048

(3) The person has met all additional qualifications 2049  
prescribed by rule adopted under section 5502.70 of the Revised 2050  
Code. 2051

**Sec. 5502.702.** (A) As used in this section, 2052  
"administrator" has the same meaning as in section 5502.262 of 2053  
the Revised Code. 2054

(B) The duties of the chief mobile training officer 2055  
include: 2056

<u>(1) Administering the Ohio mobile training team;</u>	2057
<u>(2) Adopting additional qualifications and training requirements for regional mobile training officers appointed under section 5502.70 of the Revised Code;</u>	2058 2059 2060
<u>(3) Enforcing rules and executing additional duties prescribed by the department of public safety.</u>	2061 2062
<u>(C) The duties of a regional mobile training officer include:</u>	2063 2064
<u>(1) Upon request, assisting an administrator within an officer's region in the development or review of an emergency management plan under section 5502.262 of the Revised Code;</u>	2065 2066 2067
<u>(2) Upon request, assisting an administrator of a public or nonpublic school within an officer's region with any other security protocols for activities or events outside of the building during or after school hours;</u>	2068 2069 2070 2071
<u>(3) Upon request, assisting in strategic communications between federal, state, and local law enforcement or agencies in the event of an emergency situation at a school within an officer's region;</u>	2072 2073 2074 2075
<u>(4) Offering tactical emergency medical services training to public and nonpublic schools within an officer's region;</u>	2076 2077
<u>(5) Promoting the use of the SaferOH tip line within an officer's region;</u>	2078 2079
<u>(6) Enforcing rules and executing additional duties prescribed by either the department of public safety or the chief mobile training officer;</u>	2080 2081 2082
<u>(7) Providing instruction and training through the Ohio</u>	2083

school safety and crisis center as prescribed in section 2084  
5502.703 of the Revised Code; 2085

(8) Overseeing training operations and offering training 2086  
opportunities for school employees, including observing 2087  
emergency management tests as described in section 5502.262 of 2088  
the Revised Code, providing weapons manipulation instruction, 2089  
and other appropriate activities. 2090

**Sec. 5502.703.** (A) The Ohio school safety and crisis 2091  
center is hereby created within the department of public safety 2092  
and shall be operated by the mobile training team established 2093  
under section 5502.70 of the Revised Code. 2094

(B) The mobile training team shall develop curriculum and 2095  
provide instruction and training, including firearms training, 2096  
that individuals may complete to satisfy the criterion specified 2097  
in division (D) (1) (d) (i) of section 2923.122 of the Revised Code 2098  
to be permitted to convey deadly weapons or dangerous ordnance 2099  
into a school safety zone under division (D) (1) (d) of that 2100  
section. Except as otherwise specified in division (D) (1) (d) (i) 2101  
of that section, an individual shall successfully complete the 2102  
curriculum, instruction, and training so developed as a 2103  
requirement to be permitted to convey deadly weapons or 2104  
dangerous ordnance into a school safety zone under the authority 2105  
of division (D) (1) (d) of that section. 2106

The curriculum, instruction, and training shall follow the 2107  
private investigator and security guard firearms training 2108  
guidelines adopted under section 4749.06 of the Revised Code and 2109  
include both of the following: 2110

(1) Initial instruction and training, which shall not 2111  
exceed twenty-four hours; 2112

<u>(2) Annual requalification training, which shall not</u>	2113
<u>exceed eight hours.</u>	2114
<u>Nothing in this section prohibits a school district board</u>	2115
<u>of education or governing body of a school from requiring</u>	2116
<u>additional training for an individual to which this section</u>	2117
<u>applies.</u>	2118
<u>(C) (1) The curriculum of the initial and requalification</u>	2119
<u>instruction and training required under this section shall</u>	2120
<u>include instruction in all of the following:</u>	2121
<u>(a) Mitigation techniques;</u>	2122
<u>(b) Communications capabilities and coordination and</u>	2123
<u>collaboration techniques;</u>	2124
<u>(c) Neutralization of potential threats and active</u>	2125
<u>shooters;</u>	2126
<u>(d) Accountability;</u>	2127
<u>(e) Reunification;</u>	2128
<u>(f) Psychology of critical incidents;</u>	2129
<u>(g) De-escalation techniques;</u>	2130
<u>(h) Crisis intervention;</u>	2131
<u>(i) Trauma and first aid care;</u>	2132
<u>(j) The history and pattern of school shootings;</u>	2133
<u>(k) Tactics of responding to critical incidents in</u>	2134
<u>schools;</u>	2135
<u>(l) At least four hours of training in scenario-based or</u>	2136
<u>simulated training exercises;</u>	2137

<u>(m) Completion of tactical live firearms training;</u>	2138
<u>(n) Realistic urban training.</u>	2139
<u>(2) The board or governing body of the school that</u>	2140
<u>authorizes an individual to convey deadly weapons or dangerous</u>	2141
<u>ordnance into a school safety zone, under division (D) (1) (d) of</u>	2142
<u>section 2923.122 of the Revised Code, shall pay all fees for the</u>	2143
<u>training described in divisions (B) and (C) (1) of this section</u>	2144
<u>that the individual receives.</u>	2145
<u>(3) A school district board of education or governing body</u>	2146
<u>of a school may adopt alternate curriculum, instruction, and</u>	2147
<u>training, provided it includes all of the topics specified in</u>	2148
<u>division (C) (1) of this section.</u>	2149
<u>A district board or governing body shall submit any</u>	2150
<u>alternate curriculum, instruction, and training adopted under</u>	2151
<u>division (C) (3) of this section to the school safety and crisis</u>	2152
<u>center for approval prior to granting authorization to an</u>	2153
<u>individual to convey deadly weapons or dangerous ordnance into a</u>	2154
<u>school safety zone under the control of the district board or</u>	2155
<u>governing authority. The school safety center shall approve any</u>	2156
<u>curriculum, instruction, and training within thirty days after</u>	2157
<u>receipt if the curriculum, instruction, and training comply with</u>	2158
<u>divisions (B) and (C) of this section.</u>	2159
<u>(D) Each school district board of education or governing</u>	2160
<u>body of a school shall provide to the school safety and crisis</u>	2161
<u>center a current list of the qualified personnel authorized to</u>	2162
<u>convey deadly weapons or dangerous ordnance into a school safety</u>	2163
<u>zone under the control of the district board or governing body</u>	2164
<u>who have completed training under this section.</u>	2165
<u>The list is not a public record under section 149.43 of</u>	2166

the Revised Code. 2167

(E) The department of public safety, in accordance with 2168  
Chapter 119. of the Revised Code, shall adopt rules to implement 2169  
this section. 2170

**Section 2.** That existing sections 109.78, 149.43, 149.433, 2171  
 2923.122, 3314.03, 3326.11, 5502.01, and 5502.262 of the Revised 2172  
 Code are hereby repealed. 2173

**Section 3.** All items in this act are hereby appropriated 2174  
 as designated out of any moneys in the state treasury to the 2175  
 credit of the designated fund. For all operating appropriations 2176  
 made in this act, those in the first column are for fiscal year 2177  
 2022 and those in the second column are for fiscal year 2023. 2178  
 The operating appropriations made in this act are in addition to 2179  
 any other operating appropriations made for the FY 2022-FY 2023 2180  
 biennium. 2181

**Section 4.** 2182

2183

	1	2	3	4	5
A	DPS DEPARTMENT OF PUBLIC SAFETY				
B	General Revenue Fund				
C	GRF 769412	Mobile Training Team		\$6,000,000	\$6,000,000
D	TOTAL GRF General Revenue Fund			\$6,000,000	\$6,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$6,000,000	\$6,000,000

MOBILE TRAINING TEAM 2184

The foregoing appropriation item 769412, Mobile Training Team, shall be used for the Ohio Mobile Training Team established in section 5502.70 of the Revised Code.

**Section 5.** Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in H.B. 110 of the 134th General Assembly. The operating appropriations made in this act are subject to all provisions of H.B. 110 of the 134th General Assembly that are generally applicable to such appropriations.

**Section 6.** Section 149.43 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 93, H.B. 110, and S.B. 4 of the 134th General Assembly and S.B. 284 of the 133rd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.