

H. B. No. 12  
As Introduced

\_\_\_\_\_ moved to amend as follows:

- In line 10 of the title, delete "2953.32" and insert "2953.34" 1
- In line 109 of the title, delete ", 3319.613" 2
- In line 151 of the title, delete "4732.22" 3
- In line 169 of the title, after ";" insert "and to amend the 4  
versions of sections 921.06, 3301.071, 3309.011, 3319.22, 3319.229, 5  
3319.262, 3319.28, 3319.361, 3327.10, 4709.07, 4709.10, 4732.10, 4735.09, 6  
and 4747.10 of the Revised Code that are scheduled to take effect December 7  
29, 2023, to continue the changes on and after that date;" 8
- In line 182, delete "2953.32" and insert "2953.34" 9
- In line 257, delete ", 3319.613" 10
- In line 287, delete the seventh ", " 11
- In line 288, delete "4732.22" 12
- Delete lines 877 through 1353 13
- After line 1353, insert: 14



"Sec. 109.57. (A) (1) The superintendent of the bureau of 15  
criminal identification and investigation shall procure from 16  
wherever procurable and file for record photographs, pictures, 17  
descriptions, fingerprints, measurements, and other information 18  
that may be pertinent of all persons who have been convicted of 19  
committing within this state a felony, any crime constituting a 20  
misdemeanor on the first offense and a felony on subsequent 21  
offenses, or any misdemeanor described in division (A) (1) (a), 22  
(A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code, 23  
of all children under eighteen years of age who have been 24  
adjudicated delinquent children for committing within this state 25  
an act that would be a felony or an offense of violence if 26  
committed by an adult or who have been convicted of or pleaded 27  
guilty to committing within this state a felony or an offense of 28  
violence, and of all well-known and habitual criminals. The 29  
person in charge of any county, multicounty, municipal, 30  
municipal-county, or multicounty-municipal jail or workhouse, 31  
community-based correctional facility, halfway house, 32  
alternative residential facility, or state correctional 33  
institution and the person in charge of any state institution 34  
having custody of a person suspected of having committed a 35  
felony, any crime constituting a misdemeanor on the first 36  
offense and a felony on subsequent offenses, or any misdemeanor 37  
described in division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of 38  
section 109.572 of the Revised Code or having custody of a child 39  
under eighteen years of age with respect to whom there is 40  
probable cause to believe that the child may have committed an 41  
act that would be a felony or an offense of violence if 42  
committed by an adult shall furnish such material to the 43  
superintendent of the bureau. Fingerprints, photographs, or 44  
other descriptive information of a child who is under eighteen 45

years of age, has not been arrested or otherwise taken into custody for committing an act that would be a felony or an offense of violence who is not in any other category of child specified in this division, if committed by an adult, has not been adjudicated a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult, has not been convicted of or pleaded guilty to committing a felony or an offense of violence, and is not a child with respect to whom there is probable cause to believe that the child may have committed an act that would be a felony or an offense of violence if committed by an adult shall not be procured by the superintendent or furnished by any person in charge of any county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution, except as authorized in section 2151.313 of the Revised Code.

(2) Every clerk of a court of record in this state, other than the supreme court or a court of appeals, shall send to the superintendent of the bureau a weekly report containing a summary of each case involving a felony, involving any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, involving a misdemeanor described in division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code, or involving an adjudication in a case in which a child under eighteen years of age was alleged to be a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult. The clerk of the court of common pleas shall include in the report and summary the clerk sends under this division all information described in divisions (A) (2) (a) to (f) of this section

regarding a case before the court of appeals that is served by	77
that clerk. The summary shall be written on the standard forms	78
furnished by the superintendent pursuant to division (B) of this	79
section and shall include the following information:	80
(a) The incident tracking number contained on the standard	81
forms furnished by the superintendent pursuant to division (B)	82
of this section;	83
(b) The style and number of the case;	84
(c) The date of arrest, offense, summons, or arraignment;	85
(d) The date that the person was convicted of or pleaded	86
guilty to the offense, adjudicated a delinquent child for	87
committing the act that would be a felony or an offense of	88
violence if committed by an adult, found not guilty of the	89
offense, or found not to be a delinquent child for committing an	90
act that would be a felony or an offense of violence if	91
committed by an adult, the date of an entry dismissing the	92
charge, an entry declaring a mistrial of the offense in which	93
the person is discharged, an entry finding that the person or	94
child is not competent to stand trial, or an entry of a nolle	95
prosequi, or the date of any other determination that	96
constitutes final resolution of the case;	97
(e) A statement of the original charge with the section of	98
the Revised Code that was alleged to be violated;	99
(f) If the person or child was convicted, pleaded guilty,	100
or was adjudicated a delinquent child, the sentence or terms of	101
probation imposed or any other disposition of the offender or	102
the delinquent child.	103
If the offense involved the disarming of a law enforcement	104

officer or an attempt to disarm a law enforcement officer, the 105  
clerk shall clearly state that fact in the summary, and the 106  
superintendent shall ensure that a clear statement of that fact 107  
is placed in the bureau's records. 108

(3) The superintendent shall cooperate with and assist 109  
sheriffs, chiefs of police, and other law enforcement officers 110  
in the establishment of a complete system of criminal 111  
identification and in obtaining fingerprints and other means of 112  
identification of all persons arrested on a charge of a felony, 113  
any crime constituting a misdemeanor on the first offense and a 114  
felony on subsequent offenses, or a misdemeanor described in 115  
division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 116  
of the Revised Code and of all children under eighteen years of 117  
age arrested or otherwise taken into custody for committing an 118  
act that would be a felony or an offense of violence if 119  
committed by an adult. The superintendent also shall file for 120  
record the fingerprint impressions of all persons confined in a 121  
county, multicounty, municipal, municipal-county, or 122  
multicounty-municipal jail or workhouse, community-based 123  
correctional facility, halfway house, alternative residential 124  
facility, or state correctional institution for the violation of 125  
state laws and of all children under eighteen years of age who 126  
are confined in a county, multicounty, municipal, municipal- 127  
county, or multicounty-municipal jail or workhouse, community- 128  
based correctional facility, halfway house, alternative 129  
residential facility, or state correctional institution or in 130  
any facility for delinquent children for committing an act that 131  
would be a felony or an offense of violence if committed by an 132  
adult, and any other information that the superintendent may 133  
receive from law enforcement officials of the state and its 134  
political subdivisions. 135

(4) The superintendent shall carry out Chapter 2950. of 136  
the Revised Code with respect to the registration of persons who 137  
are convicted of or plead guilty to a sexually oriented offense 138  
or a child-victim oriented offense and with respect to all other 139  
duties imposed on the bureau under that chapter. 140

(5) The bureau shall perform centralized recordkeeping 141  
functions for criminal history records and services in this 142  
state for purposes of the national crime prevention and privacy 143  
compact set forth in section 109.571 of the Revised Code and is 144  
the criminal history record repository as defined in that 145  
section for purposes of that compact. The superintendent or the 146  
superintendent's designee is the compact officer for purposes of 147  
that compact and shall carry out the responsibilities of the 148  
compact officer specified in that compact. 149

(6) The superintendent shall, upon request, assist a 150  
county coroner in the identification of a deceased person 151  
through the use of fingerprint impressions obtained pursuant to 152  
division (A) (1) of this section or collected pursuant to section 153  
109.572 or 311.41 of the Revised Code. 154

(B) The superintendent shall prepare and furnish to every 155  
county, multicounty, municipal, municipal-county, or 156  
multicounty-municipal jail or workhouse, community-based 157  
correctional facility, halfway house, alternative residential 158  
facility, or state correctional institution and to every clerk 159  
of a court in this state specified in division (A) (2) of this 160  
section standard forms for reporting the information required 161  
under division (A) of this section. The standard forms that the 162  
superintendent prepares pursuant to this division may be in a 163  
tangible format, in an electronic format, or in both tangible 164  
formats and electronic formats. 165

(C) (1) The superintendent may operate a center for 166  
electronic, automated, or other data processing for the storage 167  
and retrieval of information, data, and statistics pertaining to 168  
criminals and to children under eighteen years of age who are 169  
adjudicated delinquent children for committing an act that would 170  
be a felony or an offense of violence if committed by an adult, 171  
criminal activity, crime prevention, law enforcement, and 172  
criminal justice, and may establish and operate a statewide 173  
communications network to be known as the Ohio law enforcement 174  
gateway to gather and disseminate information, data, and 175  
statistics for the use of law enforcement agencies and for other 176  
uses specified in this division. The superintendent may gather, 177  
store, retrieve, and disseminate information, data, and 178  
statistics that pertain to children who are under eighteen years 179  
of age and that are gathered pursuant to sections 109.57 to 180  
109.61 of the Revised Code together with information, data, and 181  
statistics that pertain to adults and that are gathered pursuant 182  
to those sections. 183

(2) The superintendent or the superintendent's designee 184  
shall gather information of the nature described in division (C) 185  
(1) of this section that pertains to the offense and delinquency 186  
history of a person who has been convicted of, pleaded guilty 187  
to, or been adjudicated a delinquent child for committing a 188  
sexually oriented offense or a child-victim oriented offense for 189  
inclusion in the state registry of sex offenders and child- 190  
victim offenders maintained pursuant to division (A) (1) of 191  
section 2950.13 of the Revised Code and in the internet database 192  
operated pursuant to division (A) (13) of that section and for 193  
possible inclusion in the internet database operated pursuant to 194  
division (A) (11) of that section. 195

(3) In addition to any other authorized use of 196

information, data, and statistics of the nature described in 197  
division (C) (1) of this section, the superintendent or the 198  
superintendent's designee may provide and exchange the 199  
information, data, and statistics pursuant to the national crime 200  
prevention and privacy compact as described in division (A) (5) 201  
of this section. 202

(4) The Ohio law enforcement gateway shall contain the 203  
name, confidential address, and telephone number of program 204  
participants in the address confidentiality program established 205  
under sections 111.41 to 111.47 of the Revised Code. 206

(5) The attorney general may adopt rules under Chapter 207  
119. of the Revised Code establishing guidelines for the 208  
operation of and participation in the Ohio law enforcement 209  
gateway. The rules may include criteria for granting and 210  
restricting access to information gathered and disseminated 211  
through the Ohio law enforcement gateway. The attorney general 212  
shall adopt rules under Chapter 119. of the Revised Code that 213  
grant access to information in the gateway regarding an address 214  
confidentiality program participant under sections 111.41 to 215  
111.47 of the Revised Code to only chiefs of police, village 216  
marshals, county sheriffs, county prosecuting attorneys, and a 217  
designee of each of these individuals. The attorney general 218  
shall permit an office of a county coroner, the state medical 219  
board, and board of nursing to access and view, but not alter, 220  
information gathered and disseminated through the Ohio law 221  
enforcement gateway. 222

The attorney general may appoint a steering committee to 223  
advise the attorney general in the operation of the Ohio law 224  
enforcement gateway that is comprised of persons who are 225  
representatives of the criminal justice agencies in this state 226



that use the Ohio law enforcement gateway and is chaired by the	227
superintendent or the superintendent's designee.	228
(D) (1) The following are not public records under section	229
149.43 of the Revised Code:	230
(a) Information and materials furnished to the	231
superintendent pursuant to division (A) of this section;	232
(b) Information, data, and statistics gathered or	233
disseminated through the Ohio law enforcement gateway pursuant	234
to division (C) (1) of this section;	235
(c) Information and materials furnished to any board or	236
person under division (F) or (G) of this section.	237
(2) The superintendent or the superintendent's designee	238
shall gather and retain information so furnished under division	239
(A) of this section that pertains to the offense and delinquency	240
history of a person who has been convicted of, pleaded guilty	241
to, or been adjudicated a delinquent child for committing a	242
sexually oriented offense or a child-victim oriented offense for	243
the purposes described in division (C) (2) of this section.	244
(E) (1) The attorney general shall adopt rules, in	245
accordance with Chapter 119. of the Revised Code and subject to	246
division (E) (2) of this section, setting forth the procedure by	247
which a person may receive or release information gathered by	248
the superintendent pursuant to division (A) of this section. A	249
reasonable fee may be charged for this service. If a temporary	250
employment service submits a request for a determination of	251
whether a person the service plans to refer to an employment	252
position has been convicted of or pleaded guilty to an offense	253
listed or described in division (A) (1), (2), or (3) of section	254
109.572 of the Revised Code, the request shall be treated as a	255

single request and only one fee shall be charged. 256

(2) Except as otherwise provided in this division or 257  
division (E) (3) or (4) of this section, a rule adopted under 258  
division (E) (1) of this section may provide only for the release 259  
of information gathered pursuant to division (A) of this section 260  
that relates to the conviction of a person, or a person's plea 261  
of guilty to, a criminal offense or to the arrest of a person as 262  
provided in division (E) (3) of this section. The superintendent 263  
shall not release, and the attorney general shall not adopt any 264  
rule under division (E) (1) of this section that permits the 265  
release of, any information gathered pursuant to division (A) of 266  
this section that relates to an adjudication of a child as a 267  
delinquent child, or that relates to a criminal conviction of a 268  
person under eighteen years of age if the person's case was 269  
transferred back to a juvenile court under division (B) (2) or 270  
(3) of section 2152.121 of the Revised Code and the juvenile 271  
court imposed a disposition or serious youthful offender 272  
disposition upon the person under either division, unless either 273  
of the following applies with respect to the adjudication or 274  
conviction: 275

(a) The adjudication or conviction was for a violation of 276  
section 2903.01 or 2903.02 of the Revised Code. 277

(b) The adjudication or conviction was for a sexually 278  
oriented offense, the juvenile court was required to classify 279  
the child a juvenile offender registrant for that offense under 280  
section 2152.82, 2152.83, or 2152.86 of the Revised Code, that 281  
classification has not been removed, and the records of the 282  
adjudication or conviction have not been sealed or expunged 283  
pursuant to sections 2151.355 to 2151.358 or sealed or expunged 284  
pursuant to section 2953.32 of the Revised Code. 285

(3) A rule adopted under division (E) (1) of this section	286
may provide for the release of information gathered pursuant to	287
division (A) of this section that relates to the arrest of a	288
person who is eighteen years of age or older when the person has	289
not been convicted as a result of that arrest if any of the	290
following applies:	291
(a) The arrest was made outside of this state.	292
(b) A criminal action resulting from the arrest is	293
pending, and the superintendent confirms that the criminal	294
action has not been resolved at the time the criminal records	295
check is performed.	296
(c) The bureau cannot reasonably determine whether a	297
criminal action resulting from the arrest is pending, and not	298
more than one year has elapsed since the date of the arrest.	299
(4) A rule adopted under division (E) (1) of this section	300
may provide for the release of information gathered pursuant to	301
division (A) of this section that relates to an adjudication of	302
a child as a delinquent child if not more than five years have	303
elapsed since the date of the adjudication, the adjudication was	304
for an act that would have been a felony if committed by an	305
adult, the records of the adjudication have not been sealed or	306
expunged pursuant to sections 2151.355 to 2151.358 of the	307
Revised Code, and the request for information is made under	308
division (F) of this section or under section 109.572 of the	309
Revised Code. In the case of an adjudication for a violation of	310
the terms of community control or supervised release, the five-	311
year period shall be calculated from the date of the	312
adjudication to which the community control or supervised	313
release pertains.	314

(F) (1) As used in division (F) (2) of this section, "head start agency" means an entity in this state that has been approved to be an agency for purposes of subchapter II of the "Community Economic Development Act," 95 Stat. 489 (1981), 42 U.S.C.A. 9831, as amended.

(2) (a) In addition to or in conjunction with any request that is required to be made under section 109.572, 2151.86, 3301.32, 3301.541, division (C) of section 3310.58, or section 3319.39, 3319.391, 3327.10, 3740.11, 5104.013, 5123.081, or 5153.111 of the Revised Code or that is made under section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code, the board of education of any school district; the director of developmental disabilities; any county board of developmental disabilities; any provider or subcontractor as defined in section 5123.081 of the Revised Code; the chief administrator of any chartered nonpublic school; the chief administrator of a registered private provider that is not also a chartered nonpublic school; the chief administrator of any home health agency; the chief administrator of or person operating any child day-care center, type A family day-care home, or type B family day-care home licensed under Chapter 5104. of the Revised Code; the chief administrator of any head start agency; the executive director of a public children services agency; a private company described in section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code; or an employer described in division (J) (2) of section 3327.10 of the Revised Code may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied for employment in any position after October 2, 1989, or any individual wishing to apply for employment with a board of education may request, with regard to the individual, whether the bureau has any information

gathered under division (A) of this section that pertains to 346  
that individual. On receipt of the request, subject to division 347  
(E) (2) of this section, the superintendent shall determine 348  
whether that information exists and, upon request of the person, 349  
board, or entity requesting information, also shall request from 350  
the federal bureau of investigation any criminal records it has 351  
pertaining to that individual. The superintendent or the 352  
superintendent's designee also may request criminal history 353  
records from other states or the federal government pursuant to 354  
the national crime prevention and privacy compact set forth in 355  
section 109.571 of the Revised Code. Within thirty days of the 356  
date that the superintendent receives a request, subject to 357  
division (E) (2) of this section, the superintendent shall send 358  
to the board, entity, or person a report of any information that 359  
the superintendent determines exists, including information 360  
contained in records that have been sealed under section 2953.32 361  
of the Revised Code, and, within thirty days of its receipt, 362  
subject to division (E) (2) of this section, shall send the 363  
board, entity, or person a report of any information received 364  
from the federal bureau of investigation, other than information 365  
the dissemination of which is prohibited by federal law. 366

(b) When a board of education or a registered private 367  
provider is required to receive information under this section 368  
as a prerequisite to employment of an individual pursuant to 369  
division (C) of section 3310.58 or section 3319.39 of the 370  
Revised Code, it may accept a certified copy of records that 371  
were issued by the bureau of criminal identification and 372  
investigation and that are presented by an individual applying 373  
for employment with the district in lieu of requesting that 374  
information itself. In such a case, the board shall accept the 375  
certified copy issued by the bureau in order to make a photocopy 376

of it for that individual's employment application documents and 377  
shall return the certified copy to the individual. In a case of 378  
that nature, a district or provider only shall accept a 379  
certified copy of records of that nature within one year after 380  
the date of their issuance by the bureau. 381

(c) Notwithstanding division (F) (2) (a) of this section, in 382  
the case of a request under section 3319.39, 3319.391, or 383  
3327.10 of the Revised Code only for criminal records maintained 384  
by the federal bureau of investigation, the superintendent shall 385  
not determine whether any information gathered under division 386  
(A) of this section exists on the person for whom the request is 387  
made. 388

(3) The state board of education or the department of 389  
education and workforce may request, with respect to any 390  
individual who has applied for employment after October 2, 1989, 391  
in any position with the state board or the department of 392  
education and workforce, any information that a school district 393  
board of education is authorized to request under division (F) 394  
(2) of this section, and the superintendent of the bureau shall 395  
proceed as if the request has been received from a school 396  
district board of education under division (F) (2) of this 397  
section. 398

(4) When the superintendent of the bureau receives a 399  
request for information under section 3319.291 of the Revised 400  
Code, the superintendent shall proceed as if the request has 401  
been received from a school district board of education and 402  
shall comply with divisions (F) (2) (a) and (c) of this section. 403

(G) In addition to or in conjunction with any request that 404  
is required to be made under section 3712.09, 3721.121, or 405  
3740.11 of the Revised Code with respect to an individual who 406

has applied for employment in a position that involves providing 407  
direct care to an older adult or adult resident, the chief 408  
administrator of a home health agency, hospice care program, 409  
home licensed under Chapter 3721. of the Revised Code, or adult 410  
day-care program operated pursuant to rules adopted under 411  
section 3721.04 of the Revised Code may request that the 412  
superintendent of the bureau investigate and determine, with 413  
respect to any individual who has applied after January 27, 414  
1997, for employment in a position that does not involve 415  
providing direct care to an older adult or adult resident, 416  
whether the bureau has any information gathered under division 417  
(A) of this section that pertains to that individual. 418

In addition to or in conjunction with any request that is 419  
required to be made under section 173.27 of the Revised Code 420  
with respect to an individual who has applied for employment in 421  
a position that involves providing ombudsman services to 422  
residents of long-term care facilities or recipients of 423  
community-based long-term care services, the state long-term 424  
care ombudsman, the director of aging, a regional long-term care 425  
ombudsman program, or the designee of the ombudsman, director, 426  
or program may request that the superintendent investigate and 427  
determine, with respect to any individual who has applied for 428  
employment in a position that does not involve providing such 429  
ombudsman services, whether the bureau has any information 430  
gathered under division (A) of this section that pertains to 431  
that applicant. 432

In addition to or in conjunction with any request that is 433  
required to be made under section 173.38 of the Revised Code 434  
with respect to an individual who has applied for employment in 435  
a direct-care position, the chief administrator of a provider, 436  
as defined in section 173.39 of the Revised Code, may request 437

that the superintendent investigate and determine, with respect 438  
to any individual who has applied for employment in a position 439  
that is not a direct-care position, whether the bureau has any 440  
information gathered under division (A) of this section that 441  
pertains to that applicant. 442

In addition to or in conjunction with any request that is 443  
required to be made under section 3712.09 of the Revised Code 444  
with respect to an individual who has applied for employment in 445  
a position that involves providing direct care to a pediatric 446  
respite care patient, the chief administrator of a pediatric 447  
respite care program may request that the superintendent of the 448  
bureau investigate and determine, with respect to any individual 449  
who has applied for employment in a position that does not 450  
involve providing direct care to a pediatric respite care 451  
patient, whether the bureau has any information gathered under 452  
division (A) of this section that pertains to that individual. 453

On receipt of a request under this division, the 454  
superintendent shall determine whether that information exists 455  
and, on request of the individual requesting information, shall 456  
also request from the federal bureau of investigation any 457  
criminal records it has pertaining to the applicant. The 458  
superintendent or the superintendent's designee also may request 459  
criminal history records from other states or the federal 460  
government pursuant to the national crime prevention and privacy 461  
compact set forth in section 109.571 of the Revised Code. Within 462  
thirty days of the date a request is received, subject to 463  
division (E)(2) of this section, the superintendent shall send 464  
to the requester a report of any information determined to 465  
exist, including information contained in records that have been 466  
sealed under section 2953.32 of the Revised Code, and, within 467  
thirty days of its receipt, shall send the requester a report of 468



any information received from the federal bureau of 469  
investigation, other than information the dissemination of which 470  
is prohibited by federal law. 471

(H) Information obtained by a government entity or person 472  
under this section is confidential and shall not be released or 473  
disseminated. 474

(I) The superintendent may charge a reasonable fee for 475  
providing information or criminal records under division (F) (2) 476  
or (G) of this section. 477

(J) As used in this section: 478

(1) "Pediatric respite care program" and "pediatric care 479  
patient" have the same meanings as in section 3712.01 of the 480  
Revised Code. 481

(2) "Sexually oriented offense" and "child-victim oriented 482  
offense" have the same meanings as in section 2950.01 of the 483  
Revised Code. 484

(3) "Registered private provider" means a nonpublic school 485  
or entity registered with the ~~superintendent of public~~ 486  
~~instruction~~ department of education and workforce under section 487  
3310.41 of the Revised Code to participate in the autism 488  
scholarship program or section 3310.58 of the Revised Code to 489  
participate in the Jon Peterson special needs scholarship 490  
program. " 491

Delete lines 1354 through 1949 492

After line 1949, insert: 493

**"Sec. 109.572.** (A) (1) Upon receipt of a request pursuant 494  
to section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 495  
Code, a completed form prescribed pursuant to division (C) (1) of 496

this section, and a set of fingerprint impressions obtained in 497  
the manner described in division (C) (2) of this section, the 498  
superintendent of the bureau of criminal identification and 499  
investigation shall conduct a criminal records check in the 500  
manner described in division (B) of this section to determine 501  
whether any information exists that indicates that the person 502  
who is the subject of the request previously has been convicted 503  
of or pleaded guilty to any of the following: 504

(a) A violation of section 2903.01, 2903.02, 2903.03, 505  
2903.04, 2903.041, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 506  
2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 507  
2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 508  
2907.08, 2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.25, 509  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 510  
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 511  
2923.12, 2923.13, 2923.161, 2923.17, 2923.21, 2923.42, 2925.02, 512  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.13, 2925.22, 513  
2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 2925.37, or 3716.11 514  
of the Revised Code, felonious sexual penetration in violation 515  
of former section 2907.12 of the Revised Code, a violation of 516  
section 2905.04 of the Revised Code as it existed prior to July 517  
1, 1996, a violation of section 2919.23 of the Revised Code that 518  
would have been a violation of section 2905.04 of the Revised 519  
Code as it existed prior to July 1, 1996, had the violation been 520  
committed prior to that date, or a violation of section 2925.11 521  
of the Revised Code that is not a minor drug possession offense; 522

(b) A violation of an existing or former law of this 523  
state, any other state, or the United States that is 524  
substantially equivalent to any of the offenses listed in 525  
division (A) (1) (a) of this section; 526

(c) If the request is made pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, any offense specified under section 9.79 of the Revised Code or in section 3319.31 of the Revised Code.

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

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

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

section. 557

(3) On receipt of a request pursuant to section 173.27, 558  
173.38, 173.381, 3740.11, 5119.34, 5164.34, 5164.341, 5164.342, 559  
5123.081, or 5123.169 of the Revised Code, a completed form 560  
prescribed pursuant to division (C)(1) of this section, and a 561  
set of fingerprint impressions obtained in the manner described 562  
in division (C)(2) of this section, the superintendent of the 563  
bureau of criminal identification and investigation shall 564  
conduct a criminal records check of the person for whom the 565  
request is made. The superintendent shall conduct the criminal 566  
records check in the manner described in division (B) of this 567  
section to determine whether any information exists that 568  
indicates that the person who is the subject of the request 569  
previously has been convicted of, has pleaded guilty to, or 570  
(except in the case of a request pursuant to section 5164.34, 571  
5164.341, or 5164.342 of the Revised Code) has been found 572  
eligible for intervention in lieu of conviction for any of the 573  
following, regardless of the date of the conviction, the date of 574  
entry of the guilty plea, or (except in the case of a request 575  
pursuant to section 5164.34, 5164.341, or 5164.342 of the 576  
Revised Code) the date the person was found eligible for 577  
intervention in lieu of conviction: 578

(a) A violation of section 959.13, 959.131, 2903.01, 579  
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 580  
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 581  
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 582  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 583  
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 584  
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 585  
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 586  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 587

2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 588  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 589  
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 590  
2919.121, 2919.123, 2919.124, 2919.22, 2919.23, 2919.24, 591  
2919.25, 2921.03, 2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 592  
2921.32, 2921.321, 2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 593  
2923.122, 2923.123, 2923.13, 2923.161, 2923.162, 2923.21, 594  
2923.32, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 595  
2925.06, 2925.09, 2925.11, 2925.13, 2925.14, 2925.22, 2925.23, 596  
2925.24, 2925.36, 2925.55, 2925.56, 2927.12, or 3716.11 of the 597  
Revised Code; 598

(b) Felonious sexual penetration in violation of former 599  
section 2907.12 of the Revised Code; 600

(c) A violation of section 2905.04 of the Revised Code as 601  
it existed prior to July 1, 1996; 602

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 603  
the Revised Code when the underlying offense that is the object 604  
of the conspiracy, attempt, or complicity is one of the offenses 605  
listed in divisions (A) (3) (a) to (c) of this section; 606

(e) A violation of an existing or former municipal 607  
ordinance or law of this state, any other state, or the United 608  
States that is substantially equivalent to any of the offenses 609  
listed in divisions (A) (3) (a) to (d) of this section. 610

(4) On receipt of a request pursuant to section 2151.86 or 611  
2151.904 of the Revised Code, a completed form prescribed 612  
pursuant to division (C) (1) of this section, and a set of 613  
fingerprint impressions obtained in the manner described in 614  
division (C) (2) of this section, the superintendent of the 615  
bureau of criminal identification and investigation shall 616

conduct a criminal records check in the manner described in 617  
division (B) of this section to determine whether any 618  
information exists that indicates that the person who is the 619  
subject of the request previously has been convicted of or 620  
pleaded guilty to any of the following: 621

(a) A violation of section 959.13, 2903.01, 2903.02, 622  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 623  
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 624  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 625  
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 626  
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 627  
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 628  
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 629  
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 630  
2927.12, or 3716.11 of the Revised Code, a violation of section 631  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 632  
a violation of section 2919.23 of the Revised Code that would 633  
have been a violation of section 2905.04 of the Revised Code as 634  
it existed prior to July 1, 1996, had the violation been 635  
committed prior to that date, a violation of section 2925.11 of 636  
the Revised Code that is not a minor drug possession offense, 637  
two or more OVI or OVUAC violations committed within the three 638  
years immediately preceding the submission of the application or 639  
petition that is the basis of the request, or felonious sexual 640  
penetration in violation of former section 2907.12 of the 641  
Revised Code; 642

(b) A violation of an existing or former law of this 643  
state, any other state, or the United States that is 644  
substantially equivalent to any of the offenses listed in 645  
division (A) (4) (a) of this section. 646

(5) Upon receipt of a request pursuant to section 5104.013 647  
of the Revised Code, a completed form prescribed pursuant to 648  
division (C)(1) of this section, and a set of fingerprint 649  
impressions obtained in the manner described in division (C)(2) 650  
of this section, the superintendent of the bureau of criminal 651  
identification and investigation shall conduct a criminal 652  
records check in the manner described in division (B) of this 653  
section to determine whether any information exists that 654  
indicates that the person who is the subject of the request has 655  
been convicted of or pleaded guilty to any of the following: 656

(a) A violation of section 2151.421, 2903.01, 2903.02, 657  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 658  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 659  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 660  
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 661  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 662  
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 663  
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 664  
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 665  
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 666  
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 667  
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 668  
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 669  
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 670  
3716.11 of the Revised Code, felonious sexual penetration in 671  
violation of former section 2907.12 of the Revised Code, a 672  
violation of section 2905.04 of the Revised Code as it existed 673  
prior to July 1, 1996, a violation of section 2919.23 of the 674  
Revised Code that would have been a violation of section 2905.04 675  
of the Revised Code as it existed prior to July 1, 1996, had the 676  
violation been committed prior to that date, a violation of 677

section 2925.11 of the Revised Code that is not a minor drug possession offense, a violation of section 2923.02 or 2923.03 of the Revised Code that relates to a crime specified in this division, or a second violation of section 4511.19 of the Revised Code within five years of the date of application for licensure or certification.

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

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

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former



section 2907.12 of the Revised Code, a violation of section 708  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 709  
a violation of section 2919.23 of the Revised Code that would 710  
have been a violation of section 2905.04 of the Revised Code as 711  
it existed prior to July 1, 1996, had the violation been 712  
committed prior to that date, or a violation of section 2925.11 713  
of the Revised Code that is not a minor drug possession offense; 714

(b) A violation of an existing or former law of this 715  
state, any other state, or the United States that is 716  
substantially equivalent to any of the offenses listed in 717  
division (A) (6) (a) of this section. 718

(7) On receipt of a request for a criminal records check 719  
from an individual pursuant to section 4749.03 or 4749.06 of the 720  
Revised Code, accompanied by a completed copy of the form 721  
prescribed in division (C) (1) of this section and a set of 722  
fingerprint impressions obtained in a manner described in 723  
division (C) (2) of this section, the superintendent of the 724  
bureau of criminal identification and investigation shall 725  
conduct a criminal records check in the manner described in 726  
division (B) of this section to determine whether any 727  
information exists indicating that the person who is the subject 728  
of the request has been convicted of or pleaded guilty to any 729  
criminal offense in this state or in any other state. If the 730  
individual indicates that a firearm will be carried in the 731  
course of business, the superintendent shall require information 732  
from the federal bureau of investigation as described in 733  
division (B) (2) of this section. Subject to division (F) of this 734  
section, the superintendent shall report the findings of the 735  
criminal records check and any information the federal bureau of 736  
investigation provides to the director of public safety. 737

(8) On receipt of a request pursuant to section 1321.37, 738  
1321.53, or 4763.05 of the Revised Code, a completed form 739  
prescribed pursuant to division (C)(1) of this section, and a 740  
set of fingerprint impressions obtained in the manner described 741  
in division (C)(2) of this section, the superintendent of the 742  
bureau of criminal identification and investigation shall 743  
conduct a criminal records check with respect to any person who 744  
has applied for a license, permit, or certification from the 745  
department of commerce or a division in the department. The 746  
superintendent shall conduct the criminal records check in the 747  
manner described in division (B) of this section to determine 748  
whether any information exists that indicates that the person 749  
who is the subject of the request previously has been convicted 750  
of or pleaded guilty to any criminal offense in this state, any 751  
other state, or the United States. 752

(9) On receipt of a request for a criminal records check 753  
from the treasurer of state under section 113.041 of the Revised 754  
Code or from an individual under section 928.03, 4701.08, 755  
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 756  
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 757  
4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 758  
4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.21, 759  
4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 760  
4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 4776.021, 761  
4778.04, 4778.07, 4779.091, or 4783.04 of the Revised Code, 762  
accompanied by a completed form prescribed under division (C)(1) 763  
of this section and a set of fingerprint impressions obtained in 764  
the manner described in division (C)(2) of this section, the 765  
superintendent of the bureau of criminal identification and 766  
investigation shall conduct a criminal records check in the 767  
manner described in division (B) of this section to determine 768

whether any information exists that indicates that the person 769  
who is the subject of the request has been convicted of or 770  
pleaded guilty to any criminal offense in this state or any 771  
other state. Subject to division (F) of this section, the 772  
superintendent shall send the results of a check requested under 773  
section 113.041 of the Revised Code to the treasurer of state 774  
and shall send the results of a check requested under any of the 775  
other listed sections to the licensing board specified by the 776  
individual in the request. 777

(10) On receipt of a request pursuant to section 124.74, 778  
718.131, 1121.23, 1315.141, 1733.47, or 1761.26 of the Revised 779  
Code, a completed form prescribed pursuant to division (C)(1) of 780  
this section, and a set of fingerprint impressions obtained in 781  
the manner described in division (C)(2) of this section, the 782  
superintendent of the bureau of criminal identification and 783  
investigation shall conduct a criminal records check in the 784  
manner described in division (B) of this section to determine 785  
whether any information exists that indicates that the person 786  
who is the subject of the request previously has been convicted 787  
of or pleaded guilty to any criminal offense under any existing 788  
or former law of this state, any other state, or the United 789  
States. 790

(11) On receipt of a request for a criminal records check 791  
from an appointing or licensing authority under section 3772.07 792  
of the Revised Code, a completed form prescribed under division 793  
(C)(1) of this section, and a set of fingerprint impressions 794  
obtained in the manner prescribed in division (C)(2) of this 795  
section, the superintendent of the bureau of criminal 796  
identification and investigation shall conduct a criminal 797  
records check in the manner described in division (B) of this 798  
section to determine whether any information exists that 799

indicates that the person who is the subject of the request 800  
previously has been convicted of or pleaded guilty or no contest 801  
to any offense under any existing or former law of this state, 802  
any other state, or the United States that makes the person 803  
ineligible for appointment or retention under section 3772.07 of 804  
the Revised Code or that is a disqualifying offense as defined 805  
in that section or substantially equivalent to a disqualifying 806  
offense, as applicable. 807

(12) On receipt of a request pursuant to section 2151.33 808  
or 2151.412 of the Revised Code, a completed form prescribed 809  
pursuant to division (C)(1) of this section, and a set of 810  
fingerprint impressions obtained in the manner described in 811  
division (C)(2) of this section, the superintendent of the 812  
bureau of criminal identification and investigation shall 813  
conduct a criminal records check with respect to any person for 814  
whom a criminal records check is required under that section. 815  
The superintendent shall conduct the criminal records check in 816  
the manner described in division (B) of this section to 817  
determine whether any information exists that indicates that the 818  
person who is the subject of the request previously has been 819  
convicted of or pleaded guilty to any of the following: 820

(a) A violation of section 2903.01, 2903.02, 2903.03, 821  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 822  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 823  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 824  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 825  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 826  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 827  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 828  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 829

(b) An existing or former law of this state, any other 830  
state, or the United States that is substantially equivalent to 831  
any of the offenses listed in division (A)(12)(a) of this 832  
section. 833

(13) On receipt of a request pursuant to section 3796.12 834  
of the Revised Code, a completed form prescribed pursuant to 835  
division (C)(1) of this section, and a set of fingerprint 836  
impressions obtained in a manner described in division (C)(2) of 837  
this section, the superintendent of the bureau of criminal 838  
identification and investigation shall conduct a criminal 839  
records check in the manner described in division (B) of this 840  
section to determine whether any information exists that 841  
indicates that the person who is the subject of the request 842  
previously has been convicted of or pleaded guilty to the 843  
following: 844

(a) A disqualifying offense as specified in rules adopted 845  
under section 9.79 and division (B)(2)(b) of section 3796.03 of 846  
the Revised Code if the person who is the subject of the request 847  
is an administrator or other person responsible for the daily 848  
operation of, or an owner or prospective owner, officer or 849  
prospective officer, or board member or prospective board member 850  
of, an entity seeking a license from the department of commerce 851  
under Chapter 3796. of the Revised Code; 852

(b) A disqualifying offense as specified in rules adopted 853  
under section 9.79 and division (B)(2)(b) of section 3796.04 of 854  
the Revised Code if the person who is the subject of the request 855  
is an administrator or other person responsible for the daily 856  
operation of, or an owner or prospective owner, officer or 857  
prospective officer, or board member or prospective board member 858  
of, an entity seeking a license from the state board of pharmacy 859

under Chapter 3796. of the Revised Code. 860

(14) On receipt of a request required by section 3796.13 861  
of the Revised Code, a completed form prescribed pursuant to 862  
division (C)(1) of this section, and a set of fingerprint 863  
impressions obtained in a manner described in division (C)(2) of 864  
this section, the superintendent of the bureau of criminal 865  
identification and investigation shall conduct a criminal 866  
records check in the manner described in division (B) of this 867  
section to determine whether any information exists that 868  
indicates that the person who is the subject of the request 869  
previously has been convicted of or pleaded guilty to the 870  
following: 871

(a) A disqualifying offense as specified in rules adopted 872  
under division (B)(8)(a) of section 3796.03 of the Revised Code 873  
if the person who is the subject of the request is seeking 874  
employment with an entity licensed by the department of commerce 875  
under Chapter 3796. of the Revised Code; 876

(b) A disqualifying offense as specified in rules adopted 877  
under division (B)(14)(a) of section 3796.04 of the Revised Code 878  
if the person who is the subject of the request is seeking 879  
employment with an entity licensed by the state board of 880  
pharmacy under Chapter 3796. of the Revised Code. 881

(15) On receipt of a request pursuant to section 4768.06 882  
of the Revised Code, a completed form prescribed under division 883  
(C)(1) of this section, and a set of fingerprint impressions 884  
obtained in the manner described in division (C)(2) of this 885  
section, the superintendent of the bureau of criminal 886  
identification and investigation shall conduct a criminal 887  
records check in the manner described in division (B) of this 888  
section to determine whether any information exists indicating 889

that the person who is the subject of the request has been 890  
convicted of or pleaded guilty to any criminal offense in this 891  
state or in any other state. 892

(16) On receipt of a request pursuant to division (B) of 893  
section 4764.07 or division (A) of section 4735.143 of the 894  
Revised Code, a completed form prescribed under division (C) (1) 895  
of this section, and a set of fingerprint impressions obtained 896  
in the manner described in division (C) (2) of this section, the 897  
superintendent of the bureau of criminal identification and 898  
investigation shall conduct a criminal records check in the 899  
manner described in division (B) of this section to determine 900  
whether any information exists indicating that the person who is 901  
the subject of the request has been convicted of or pleaded 902  
guilty to any criminal offense in any state or the United 903  
States. 904

(17) On receipt of a request for a criminal records check 905  
under section 147.022 of the Revised Code, a completed form 906  
prescribed under division (C) (1) of this section, and a set of 907  
fingerprint impressions obtained in the manner prescribed in 908  
division (C) (2) of this section, the superintendent of the 909  
bureau of criminal identification and investigation shall 910  
conduct a criminal records check in the manner described in 911  
division (B) of this section to determine whether any 912  
information exists that indicates that the person who is the 913  
subject of the request previously has been convicted of or 914  
pleaded guilty or no contest to any criminal offense under any 915  
existing or former law of this state, any other state, or the 916  
United States. 917

(18) Upon receipt of a request pursuant to division (F) of 918  
section 2915.081 or division (E) of section 2915.082 of the 919

Revised Code, a completed form prescribed under division (C) (1) 920  
of this section, and a set of fingerprint impressions obtained 921  
in the manner described in division (C) (2) of this section, the 922  
superintendent of the bureau of criminal identification and 923  
investigation shall conduct a criminal records check in the 924  
manner described in division (B) of this section to determine 925  
whether any information exists indicating that the person who is 926  
the subject of the request has been convicted of or pleaded 927  
guilty or no contest to any offense that is a violation of 928  
Chapter 2915. of the Revised Code or to any offense under any 929  
existing or former law of this state, any other state, or the 930  
United States that is substantially equivalent to such an 931  
offense. 932

(19) On receipt of a request pursuant to section 3775.03 933  
of the Revised Code, a completed form prescribed under division 934  
(C) (1) of this section, and a set of fingerprint impressions 935  
obtained in the manner described in division (C) (2) of this 936  
section, the superintendent of the bureau of criminal 937  
identification and investigation shall conduct a criminal 938  
records check in the manner described in division (B) of this 939  
section and shall request information from the federal bureau of 940  
investigation to determine whether any information exists 941  
indicating that the person who is the subject of the request has 942  
been convicted of any offense under any existing or former law 943  
of this state, any other state, or the United States that is a 944  
disqualifying offense as defined in section 3772.07 of the 945  
Revised Code. 946

(B) Subject to division (F) of this section, the 947  
superintendent shall conduct any criminal records check to be 948  
conducted under this section as follows: 949



(1) The superintendent shall review or cause to be reviewed any relevant information gathered and compiled by the bureau under division (A) of section 109.57 of the Revised Code that relates to the person who is the subject of the criminal records check, including, if the criminal records check was requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3740.11, 3712.09, 3721.121, 3772.07, 3775.03, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of the Revised Code, any relevant information contained in records that have been sealed under section 2953.32 of the Revised Code;

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

(3) The superintendent or the superintendent's designee may request criminal history records from other states or the

federal government pursuant to the national crime prevention and 981  
privacy compact set forth in section 109.571 of the Revised 982  
Code. 983

(4) The superintendent shall include in the results of the 984  
criminal records check a list or description of the offenses 985  
listed or described in the relevant provision of division (A) of 986  
this section. The superintendent shall exclude from the results 987  
any information the dissemination of which is prohibited by 988  
federal law. 989

(5) The superintendent shall send the results of the 990  
criminal records check to the person to whom it is to be sent 991  
not later than the following number of days after the date the 992  
superintendent receives the request for the criminal records 993  
check, the completed form prescribed under division (C) (1) of 994  
this section, and the set of fingerprint impressions obtained in 995  
the manner described in division (C) (2) of this section: 996

(a) If the superintendent is required by division (A) of 997  
this section (other than division (A) (3) of this section) to 998  
conduct the criminal records check, thirty; 999

(b) If the superintendent is required by division (A) (3) 1000  
of this section to conduct the criminal records check, sixty. 1001

(C) (1) The superintendent shall prescribe a form to obtain 1002  
the information necessary to conduct a criminal records check 1003  
from any person for whom a criminal records check is to be 1004  
conducted under this section. The form that the superintendent 1005  
prescribes pursuant to this division may be in a tangible 1006  
format, in an electronic format, or in both tangible and 1007  
electronic formats. 1008

(2) The superintendent shall prescribe standard impression 1009

1010 sheets to obtain the fingerprint impressions of any person for  
1011 whom a criminal records check is to be conducted under this  
1012 section. Any person for whom a records check is to be conducted  
1013 under this section shall obtain the fingerprint impressions at a  
1014 county sheriff's office, municipal police department, or any  
1015 other entity with the ability to make fingerprint impressions on  
1016 the standard impression sheets prescribed by the superintendent.  
1017 The office, department, or entity may charge the person a  
1018 reasonable fee for making the impressions. The standard  
1019 impression sheets the superintendent prescribes pursuant to this  
1020 division may be in a tangible format, in an electronic format,  
1021 or in both tangible and electronic formats.

1022 (3) Subject to division (D) of this section, the  
1023 superintendent shall prescribe and charge a reasonable fee for  
1024 providing a criminal records check under this section. The  
1025 person requesting the criminal records check shall pay the fee  
1026 prescribed pursuant to this division. In the case of a request  
1027 under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47,  
1028 1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the  
1029 fee shall be paid in the manner specified in that section.

1030 (4) The superintendent of the bureau of criminal  
1031 identification and investigation may prescribe methods of  
1032 forwarding fingerprint impressions and information necessary to  
1033 conduct a criminal records check, which methods shall include,  
1034 but not be limited to, an electronic method.

1035 (D) The results of a criminal records check conducted  
1036 under this section, other than a criminal records check  
1037 specified in division (A) (7) of this section, are valid for the  
1038 person who is the subject of the criminal records check for a  
1039 period of one year from the date upon which the superintendent

completes the criminal records check. If during that period the  
superintendent receives another request for a criminal records  
check to be conducted under this section for that person, the  
superintendent shall provide the results from the previous  
criminal records check of the person at a lower fee than the fee  
prescribed for the initial criminal records check.

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

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

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

under division (E) (1) of that section. 1070

(G) As used in this section: 1071

(1) "Criminal records check" means any criminal records 1072  
check conducted by the superintendent of the bureau of criminal 1073  
identification and investigation in accordance with division (B) 1074  
of this section. 1075

(2) "Minor drug possession offense" has the same meaning 1076  
as in section 2925.01 of the Revised Code. 1077

(3) "OVI or OVUAC violation" means a violation of section 1078  
4511.19 of the Revised Code or a violation of an existing or 1079  
former law of this state, any other state, or the United States 1080  
that is substantially equivalent to section 4511.19 of the 1081  
Revised Code. 1082

(4) "Registered private provider" means a nonpublic school 1083  
or entity registered with the ~~superintendent of public~~ 1084  
~~instruction department of education and workforce~~ under section 1085  
3310.41 of the Revised Code to participate in the autism 1086  
scholarship program or section 3310.58 of the Revised Code to 1087  
participate in the Jon Peterson special needs scholarship 1088  
program." 1089

Delete lines 2162 through 2355 1090

After line 2355, insert: 1091

**"Sec. 109.71.** There is hereby created in the office of 1092  
the attorney general the Ohio peace officer training commission. 1093  
The commission shall consist of ten members appointed by the 1094  
governor with the advice and consent of the senate and selected 1095  
as follows: one member representing the public; one member who 1096  
represents a fraternal organization representing law enforcement 1097

officers; two members who are incumbent sheriffs; two members 1098  
who are incumbent chiefs of police; one member from the bureau 1099  
of criminal identification and investigation; one member from 1100  
the state highway patrol; one member who is the special agent in 1101  
charge of a field office of the federal bureau of investigation 1102  
in this state; and one member from the department of education\_ 1103  
and workforce, trade and industrial education services, law 1104  
enforcement training. 1105

This section does not confer any arrest authority or any 1106  
ability or authority to detain a person, write or issue any 1107  
citation, or provide any disposition alternative, as granted 1108  
under Chapter 2935. of the Revised Code. 1109

Pursuant to division (A) (9) of section 101.82 of the 1110  
Revised Code, the commission is exempt from the requirements of 1111  
sections 101.82 to 101.87 of the Revised Code. 1112

As used in sections 109.71 to 109.801 of the Revised Code: 1113

(A) "Peace officer" means: 1114

(1) A deputy sheriff, marshal, deputy marshal, member of 1115  
the organized police department of a township or municipal 1116  
corporation, member of a township police district or joint 1117  
police district police force, member of a police force employed 1118  
by a metropolitan housing authority under division (D) of 1119  
section 3735.31 of the Revised Code, or township constable, who 1120  
is commissioned and employed as a peace officer by a political 1121  
subdivision of this state or by a metropolitan housing 1122  
authority, and whose primary duties are to preserve the peace, 1123  
to protect life and property, and to enforce the laws of this 1124  
state, ordinances of a municipal corporation, resolutions of a 1125  
township, or regulations of a board of county commissioners or 1126

board of township trustees, or any of those laws, ordinances,	1127
resolutions, or regulations;	1128
(2) A police officer who is employed by a railroad company	1129
and appointed and commissioned by the secretary of state	1130
pursuant to sections 4973.17 to 4973.22 of the Revised Code;	1131
(3) Employees of the department of taxation engaged in the	1132
enforcement of Chapter 5743. of the Revised Code and designated	1133
by the tax commissioner for peace officer training for purposes	1134
of the delegation of investigation powers under section 5743.45	1135
of the Revised Code;	1136
(4) An undercover drug agent;	1137
(5) Enforcement agents of the department of public safety	1138
whom the director of public safety designates under section	1139
5502.14 of the Revised Code;	1140
(6) An employee of the department of natural resources who	1141
is a natural resources law enforcement staff officer designated	1142
pursuant to section 1501.013, a natural resources officer	1143
appointed pursuant to section 1501.24, a forest-fire	1144
investigator appointed pursuant to section 1503.09, or a	1145
wildlife officer designated pursuant to section 1531.13 of the	1146
Revised Code;	1147
(7) An employee of a park district who is designated	1148
pursuant to section 511.232 or 1545.13 of the Revised Code;	1149
(8) An employee of a conservancy district who is	1150
designated pursuant to section 6101.75 of the Revised Code;	1151
(9) A police officer who is employed by a hospital that	1152
employs and maintains its own proprietary police department or	1153
security department, and who is appointed and commissioned by	1154

the secretary of state pursuant to sections 4973.17 to 4973.22	1155
of the Revised Code;	1156
(10) Veterans' homes police officers designated under	1157
section 5907.02 of the Revised Code;	1158
(11) A police officer who is employed by a qualified	1159
nonprofit corporation police department pursuant to section	1160
1702.80 of the Revised Code;	1161
(12) A state university law enforcement officer appointed	1162
under section 3345.04 of the Revised Code or a person serving as	1163
a state university law enforcement officer on a permanent basis	1164
on June 19, 1978, who has been awarded a certificate by the	1165
executive director of the Ohio peace officer training commission	1166
attesting to the person's satisfactory completion of an approved	1167
state, county, municipal, or department of natural resources	1168
peace officer basic training program;	1169
(13) A special police officer employed by the department	1170
of mental health and addiction services pursuant to section	1171
5119.08 of the Revised Code or the department of developmental	1172
disabilities pursuant to section 5123.13 of the Revised Code;	1173
(14) A member of a campus police department appointed	1174
under section 1713.50 of the Revised Code;	1175
(15) A member of a police force employed by a regional	1176
transit authority under division (Y) of section 306.35 of the	1177
Revised Code;	1178
(16) Investigators appointed by the auditor of state	1179
pursuant to section 117.091 of the Revised Code and engaged in	1180
the enforcement of Chapter 117. of the Revised Code;	1181
(17) A special police officer designated by the	1182



superintendent of the state highway patrol pursuant to section 1183  
5503.09 of the Revised Code or a person who was serving as a 1184  
special police officer pursuant to that section on a permanent 1185  
basis on October 21, 1997, and who has been awarded a 1186  
certificate by the executive director of the Ohio peace officer 1187  
training commission attesting to the person's satisfactory 1188  
completion of an approved state, county, municipal, or 1189  
department of natural resources peace officer basic training 1190  
program; 1191

(18) A special police officer employed by a port authority 1192  
under section 4582.04 or 4582.28 of the Revised Code or a person 1193  
serving as a special police officer employed by a port authority 1194  
on a permanent basis on May 17, 2000, who has been awarded a 1195  
certificate by the executive director of the Ohio peace officer 1196  
training commission attesting to the person's satisfactory 1197  
completion of an approved state, county, municipal, or 1198  
department of natural resources peace officer basic training 1199  
program; 1200

(19) A special police officer employed by a municipal 1201  
corporation who has been awarded a certificate by the executive 1202  
director of the Ohio peace officer training commission for 1203  
satisfactory completion of an approved peace officer basic 1204  
training program and who is employed on a permanent basis on or 1205  
after March 19, 2003, at a municipal airport, or other municipal 1206  
air navigation facility, that has scheduled operations, as 1207  
defined in section 119.3 of Title 14 of the Code of Federal 1208  
Regulations, 14 C.F.R. 119.3, as amended, and that is required 1209  
to be under a security program and is governed by aviation 1210  
security rules of the transportation security administration of 1211  
the United States department of transportation as provided in 1212  
Parts 1542. and 1544. of Title 49 of the Code of Federal 1213

Regulations, as amended;	1214
(20) A police officer who is employed by an owner or	1215
operator of an amusement park that has an average yearly	1216
attendance in excess of six hundred thousand guests and that	1217
employs and maintains its own proprietary police department or	1218
security department, and who is appointed and commissioned by a	1219
judge of the appropriate municipal court or county court	1220
pursuant to section 4973.17 of the Revised Code;	1221
(21) A police officer who is employed by a bank, savings	1222
and loan association, savings bank, credit union, or association	1223
of banks, savings and loan associations, savings banks, or	1224
credit unions, who has been appointed and commissioned by the	1225
secretary of state pursuant to sections 4973.17 to 4973.22 of	1226
the Revised Code, and who has been awarded a certificate by the	1227
executive director of the Ohio peace officer training commission	1228
attesting to the person's satisfactory completion of a state,	1229
county, municipal, or department of natural resources peace	1230
officer basic training program;	1231
(22) An investigator, as defined in section 109.541 of the	1232
Revised Code, of the bureau of criminal identification and	1233
investigation who is commissioned by the superintendent of the	1234
bureau as a special agent for the purpose of assisting law	1235
enforcement officers or providing emergency assistance to peace	1236
officers pursuant to authority granted under that section;	1237
(23) A state fire marshal law enforcement officer	1238
appointed under section 3737.22 of the Revised Code or a person	1239
-serving as a state fire marshal law enforcement officer on a	1240
permanent basis on or after July 1, 1982, who has been awarded a	1241
certificate by the executive director of the Ohio peace officer	1242
training commission attesting to the person's satisfactory	1243

completion of an approved state, county, municipal, or	1244
department of natural resources peace officer basic training	1245
program;	1246
(24) A gaming agent employed under section 3772.03 of the	1247
Revised Code;	1248
(25) An employee of the state board of pharmacy designated	1249
by the executive director of the board pursuant to section	1250
4729.04 of the Revised Code to investigate violations of	1251
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the	1252
Revised Code and rules adopted thereunder.	1253
(B) "Undercover drug agent" has the same meaning as in	1254
division (B) (2) of section 109.79 of the Revised Code.	1255
(C) "Crisis intervention training" means training in the	1256
use of interpersonal and communication skills to most	1257
effectively and sensitively interview victims of rape.	1258
(D) "Missing children" has the same meaning as in section	1259
2901.30 of the Revised Code.	1260
(E) "Tactical medical professional" means an EMT, EMT-	1261
basic, AEMT, EMT-I, paramedic, nurse, or physician who is	1262
trained and certified in a nationally recognized tactical	1263
medical training program that is equivalent to "tactical combat	1264
casualty care" (TCCC) and "tactical emergency medical support"	1265
(TEMS) and who functions in the tactical or austere environment	1266
while attached to a law enforcement agency of either this state	1267
or a political subdivision of this state.	1268
(F) "EMT-basic," "EMT-I," and "paramedic" have the same	1269
meanings as in section 4765.01 of the Revised Code and "EMT" and	1270
"AEMT" have the same meanings as in section 4765.011 of the	1271

Revised Code.	1272
(G) "Nurse" means any of the following:	1273
(1) Any person who is licensed to practice nursing as a registered nurse by the board of nursing;	1274 1275
(2) Any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the board of nursing under Chapter 4723. of the Revised Code;	1276 1277 1278 1279
(3) Any person who is licensed to practice nursing as a licensed practical nurse by the board of nursing pursuant to Chapter 4723. of the Revised Code.	1280 1281 1282
(H) "Physician" means a person who is licensed pursuant to Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.	1283 1284 1285
(I) "County correctional officer" has the same meaning as in section 341.41 of the Revised Code."	1286 1287
Delete lines 5964 through 6211	1288
After line 6211, insert:	1289
<b>"Sec. 2901.01.</b> (A) As used in the Revised Code:	1290
(1) "Force" means any violence, compulsion, or constraint physically exerted by any means upon or against a person or thing.	1291 1292 1293
(2) "Deadly force" means any force that carries a substantial risk that it will proximately result in the death of any person.	1294 1295 1296
(3) "Physical harm to persons" means any injury, illness,	1297

or other physiological impairment, regardless of its gravity or	1298
duration.	1299
(4) "Physical harm to property" means any tangible or	1300
intangible damage to property that, in any degree, results in	1301
loss to its value or interferes with its use or enjoyment.	1302
"Physical harm to property" does not include wear and tear	1303
occasioned by normal use.	1304
(5) "Serious physical harm to persons" means any of the	1305
following:	1306
(a) Any mental illness or condition of such gravity as	1307
would normally require hospitalization or prolonged psychiatric	1308
treatment;	1309
(b) Any physical harm that carries a substantial risk of	1310
death;	1311
(c) Any physical harm that involves some permanent	1312
incapacity, whether partial or total, or that involves some	1313
temporary, substantial incapacity;	1314
(d) Any physical harm that involves some permanent	1315
disfigurement or that involves some temporary, serious	1316
disfigurement;	1317
(e) Any physical harm that involves acute pain of such	1318
duration as to result in substantial suffering or that involves	1319
any degree of prolonged or intractable pain.	1320
(6) "Serious physical harm to property" means any physical	1321
harm to property that does either of the following:	1322
(a) Results in substantial loss to the value of the	1323
property or requires a substantial amount of time, effort, or	1324
money to repair or replace;	1325

(b) Temporarily prevents the use or enjoyment of the property or substantially interferes with its use or enjoyment for an extended period of time. 1326  
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(7) "Risk" means a significant possibility, as contrasted with a remote possibility, that a certain result may occur or that certain circumstances may exist. 1329  
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(8) "Substantial risk" means a strong possibility, as contrasted with a remote or significant possibility, that a certain result may occur or that certain circumstances may exist. 1332  
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(9) "Offense of violence" means any of the following: 1336

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.18, 2903.21, 2903.211, 2903.22, 2905.01, 2905.02, 2905.11, 2905.32, 2907.02, 2907.03, 2907.05, 2909.02, 2909.03, 2909.24, 2911.01, 2911.02, 2911.11, 2917.01, 2917.02, 2917.03, 2917.31, 2917.321, 2919.25, 2921.03, 2921.04, 2921.34, or 2923.161, of division (A) (1) of section 2903.34, of division (A) (1), (2), or (3) of section 2911.12, or of division (B) (1), (2), (3), or (4) of section 2919.22 of the Revised Code or felonious sexual penetration in violation of former section 2907.12 of the Revised Code; 1337  
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(b) A violation of an existing or former municipal ordinance or law of this or any other state or the United States, substantially equivalent to any section, division, or offense listed in division (A) (9) (a) of this section; 1347  
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(c) An offense, other than a traffic offense, under an existing or former municipal ordinance or law of this or any other state or the United States, committed purposely or knowingly, and involving physical harm to persons or a risk of 1351  
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serious physical harm to persons; 1355

(d) A conspiracy or attempt to commit, or complicity in 1356  
committing, any offense under division (A) (9) (a), (b), or (c) of 1357  
this section; 1358

(e) A violation of division (C) of section 959.131 of the 1359  
Revised Code. 1360

(10) (a) "Property" means any property, real or personal, 1361  
tangible or intangible, and any interest or license in that 1362  
property. "Property" includes, but is not limited to, cable 1363  
television service, other telecommunications service, 1364  
telecommunications devices, information service, computers, 1365  
data, computer software, financial instruments associated with 1366  
computers, other documents associated with computers, or copies 1367  
of the documents, whether in machine or human readable form, 1368  
trade secrets, trademarks, copyrights, patents, and property 1369  
protected by a trademark, copyright, or patent. "Financial 1370  
instruments associated with computers" include, but are not 1371  
limited to, checks, drafts, warrants, money orders, notes of 1372  
indebtedness, certificates of deposit, letters of credit, bills 1373  
of credit or debit cards, financial transaction authorization 1374  
mechanisms, marketable securities, or any computer system 1375  
representations of any of them. 1376

(b) As used in division (A) (10) of this section, "trade 1377  
secret" has the same meaning as in section 1333.61 of the 1378  
Revised Code, and "telecommunications service" and "information 1379  
service" have the same meanings as in section 2913.01 of the 1380  
Revised Code. 1381

(c) As used in divisions (A) (10) and (13) of this section, 1382  
"cable television service," "computer," "computer software," 1383

"computer system," "computer network," "data," and 1384  
"telecommunications device" have the same meanings as in section 1385  
2913.01 of the Revised Code. 1386

(11) "Law enforcement officer" means any of the following: 1387

(a) A sheriff, deputy sheriff, constable, police officer 1388  
of a township or joint police district, marshal, deputy marshal, 1389  
municipal police officer, member of a police force employed by a 1390  
metropolitan housing authority under division (D) of section 1391  
3735.31 of the Revised Code, or state highway patrol trooper; 1392

(b) An officer, agent, or employee of the state or any of 1393  
its agencies, instrumentalities, or political subdivisions, upon 1394  
whom, by statute, a duty to conserve the peace or to enforce all 1395  
or certain laws is imposed and the authority to arrest violators 1396  
is conferred, within the limits of that statutory duty and 1397  
authority; 1398

(c) A mayor, in the mayor's capacity as chief conservator 1399  
of the peace within the mayor's municipal corporation; 1400

(d) A member of an auxiliary police force organized by 1401  
county, township, or municipal law enforcement authorities, 1402  
within the scope of the member's appointment or commission; 1403

(e) A person lawfully called pursuant to section 311.07 of 1404  
the Revised Code to aid a sheriff in keeping the peace, for the 1405  
purposes and during the time when the person is called; 1406

(f) A person appointed by a mayor pursuant to section 1407  
737.10 of the Revised Code as a special patrolling officer 1408  
during riot or emergency, for the purposes and during the time 1409  
when the person is appointed; 1410

(g) A member of the organized militia of this state or the 1411



armed forces of the United States, lawfully called to duty to	1412
aid civil authorities in keeping the peace or protect against	1413
domestic violence;	1414
(h) A prosecuting attorney, assistant prosecuting	1415
attorney, secret service officer, or municipal prosecutor;	1416
(i) A veterans' home police officer appointed under	1417
section 5907.02 of the Revised Code;	1418
(j) A member of a police force employed by a regional	1419
transit authority under division (Y) of section 306.35 of the	1420
Revised Code;	1421
(k) A special police officer employed by a port authority	1422
under section 4582.04 or 4582.28 of the Revised Code;	1423
(l) The house of representatives sergeant at arms if the	1424
house of representatives sergeant at arms has arrest authority	1425
pursuant to division (E)(1) of section 101.311 of the Revised	1426
Code and an assistant house of representatives sergeant at arms;	1427
(m) The senate sergeant at arms and an assistant senate	1428
sergeant at arms;	1429
(n) A special police officer employed by a municipal	1430
corporation at a municipal airport, or other municipal air	1431
navigation facility, that has scheduled operations, as defined	1432
in section 119.3 of Title 14 of the Code of Federal Regulations,	1433
14 C.F.R. 119.3, as amended, and that is required to be under a	1434
security program and is governed by aviation security rules of	1435
the transportation security administration of the United States	1436
department of transportation as provided in Parts 1542. and	1437
1544. of Title 49 of the Code of Federal Regulations, as	1438
amended.	1439

(12) "Privilege" means an immunity, license, or right 1440  
conferred by law, bestowed by express or implied grant, arising 1441  
out of status, position, office, or relationship, or growing out 1442  
of necessity. 1443

(13) "Contraband" means any property that is illegal for a 1444  
person to acquire or possess under a statute, ordinance, or 1445  
rule, or that a trier of fact lawfully determines to be illegal 1446  
to possess by reason of the property's involvement in an 1447  
offense. "Contraband" includes, but is not limited to, all of 1448  
the following: 1449

(a) Any controlled substance, as defined in section 1450  
3719.01 of the Revised Code, or any device or paraphernalia; 1451

(b) Any unlawful gambling device or paraphernalia; 1452

(c) Any dangerous ordnance or obscene material. 1453

(14) A person is "not guilty by reason of insanity" 1454  
relative to a charge of an offense only if the person proves, in 1455  
the manner specified in section 2901.05 of the Revised Code, 1456  
that at the time of the commission of the offense, the person 1457  
did not know, as a result of a severe mental disease or defect, 1458  
the wrongfulness of the person's acts. 1459

(B) (1) (a) Subject to division (B) (2) of this section, as 1460  
used in any section contained in Title XXIX of the Revised Code 1461  
that sets forth a criminal offense, "person" includes all of the 1462  
following: 1463

(i) An individual, corporation, business trust, estate, 1464  
trust, partnership, and association; 1465

(ii) An unborn human who is viable. 1466

(b) As used in any section contained in Title XXIX of the 1467

Revised Code that does not set forth a criminal offense, 1468  
"person" includes an individual, corporation, business trust, 1469  
estate, trust, partnership, and association. 1470

(c) As used in division (B) (1) (a) of this section: 1471

(i) "Unborn human" means an individual organism of the 1472  
species *Homo sapiens* from fertilization until live birth. 1473

(ii) "Viable" means the stage of development of a human 1474  
fetus at which there is a realistic possibility of maintaining 1475  
and nourishing of a life outside the womb with or without 1476  
temporary artificial life-sustaining support. 1477

(2) Notwithstanding division (B) (1) (a) of this section, in 1478  
no case shall the portion of the definition of the term "person" 1479  
that is set forth in division (B) (1) (a) (ii) of this section be 1480  
applied or construed in any section contained in Title XXIX of 1481  
the Revised Code that sets forth a criminal offense in any of 1482  
the following manners: 1483

(a) Except as otherwise provided in division (B) (2) (a) of 1484  
this section, in a manner so that the offense prohibits or is 1485  
construed as prohibiting any pregnant woman or her physician 1486  
from performing an abortion with the consent of the pregnant 1487  
woman, with the consent of the pregnant woman implied by law in 1488  
a medical emergency, or with the approval of one otherwise 1489  
authorized by law to consent to medical treatment on behalf of 1490  
the pregnant woman. An abortion that violates the conditions 1491  
described in the immediately preceding sentence may be punished 1492  
as a violation of section 2903.01, 2903.02, 2903.03, 2903.04, 1493  
2903.05, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 2903.14, 1494  
2903.21, or 2903.22 of the Revised Code, as applicable. An 1495  
abortion that does not violate the conditions described in the 1496

second immediately preceding sentence, but that does violate 1497  
section 2919.12, division (B) of section 2919.13, or section 1498  
2919.15, 2919.151, 2919.17, or 2919.18 of the Revised Code, may 1499  
be punished as a violation of section 2919.12, division (B) of 1500  
section 2919.13, or section 2919.15, 2919.151, 2919.17, or 1501  
2919.18 of the Revised Code, as applicable. Consent is 1502  
sufficient under this division if it is of the type otherwise 1503  
adequate to permit medical treatment to the pregnant woman, even 1504  
if it does not comply with section 2919.12 of the Revised Code. 1505

(b) In a manner so that the offense is applied or is 1506  
construed as applying to a woman based on an act or omission of 1507  
the woman that occurs while she is or was pregnant and that 1508  
results in any of the following: 1509

(i) Her delivery of a stillborn baby; 1510

(ii) Her causing, in any other manner, the death in utero 1511  
of a viable, unborn human that she is carrying; 1512

(iii) Her causing the death of her child who is born alive 1513  
but who dies from one or more injuries that are sustained while 1514  
the child is a viable, unborn human; 1515

(iv) Her causing her child who is born alive to sustain 1516  
one or more injuries while the child is a viable, unborn human; 1517

(v) Her causing, threatening to cause, or attempting to 1518  
cause, in any other manner, an injury, illness, or other 1519  
physiological impairment, regardless of its duration or gravity, 1520  
or a mental illness or condition, regardless of its duration or 1521  
gravity, to a viable, unborn human that she is carrying. 1522

(C) As used in Title XXIX of the Revised Code: 1523

(1) "School safety zone" consists of a school, school 1524

building, school premises, school activity, and school bus. 1525

(2) "School," "school building," and "school premises" 1526  
have the same meanings as in section 2925.01 of the Revised 1527  
Code. 1528

(3) "School activity" means any activity held under the 1529  
auspices of a board of education of a city, local, exempted 1530  
village, joint vocational, or cooperative education school 1531  
district; a governing authority of a community school 1532  
established under Chapter 3314. of the Revised Code; a governing 1533  
board of an educational service center, or the governing body of 1534  
a school for which the ~~state board~~ director of education and 1535  
workforce prescribes minimum standards under section 3301.07 of 1536  
the Revised Code. 1537

(4) "School bus" has the same meaning as in section 1538  
4511.01 of the Revised Code. " 1539

Delete lines 6212 through 6494 1540

After line 6494, insert: 1541

**"Sec. 2903.13.** (A) No person shall knowingly cause or 1542  
attempt to cause physical harm to another or to another's 1543  
unborn. 1544

(B) No person shall recklessly cause serious physical harm 1545  
to another or to another's unborn. 1546

(C) (1) Whoever violates this section is guilty of assault, 1547  
and the court shall sentence the offender as provided in this 1548  
division and divisions (C) (1), (2), (3), (4), (5), (6), (7), 1549  
(8), (9), and (10) of this section. Except as otherwise provided 1550  
in division (C) (2), (3), (4), (5), (6), (7), (8), or (9) of this 1551  
section, assault is a misdemeanor of the first degree. 1552

(2) Except as otherwise provided in this division, if the offense is committed by a caretaker against a person with a functional impairment under the caretaker's care, assault is a felony of the fourth degree. If the offense is committed by a caretaker against a person with a functional impairment under the caretaker's care, if the offender previously has been convicted of or pleaded guilty to a violation of this section or section 2903.11 or 2903.16 of the Revised Code, and if in relation to the previous conviction the offender was a caretaker and the victim was a person with a functional impairment under the offender's care, assault is a felony of the third degree.

(3) If the offense occurs in or on the grounds of a state correctional institution or an institution of the department of youth services, the victim of the offense is an employee of the department of rehabilitation and correction or the department of youth services, and the offense is committed by a person incarcerated in the state correctional institution or by a person institutionalized in the department of youth services institution pursuant to a commitment to the department of youth services, assault is a felony of the third degree.

(4) If the offense is committed in any of the following circumstances, assault is a felony of the fifth degree:

(a) The offense occurs in or on the grounds of a local correctional facility, the victim of the offense is an employee of the local correctional facility or a probation department or is on the premises of the facility for business purposes or as a visitor, and the offense is committed by a person who is under custody in the facility subsequent to the person's arrest for any crime or delinquent act, subsequent to the person's being charged with or convicted of any crime, or subsequent to the

person's being alleged to be or adjudicated a delinquent child. 1583

(b) The offense occurs off the grounds of a state 1584  
correctional institution and off the grounds of an institution 1585  
of the department of youth services, the victim of the offense 1586  
is an employee of the department of rehabilitation and 1587  
correction, the department of youth services, or a probation 1588  
department, the offense occurs during the employee's official 1589  
work hours and while the employee is engaged in official work 1590  
responsibilities, and the offense is committed by a person 1591  
incarcerated in a state correctional institution or 1592  
institutionalized in the department of youth services who 1593  
temporarily is outside of the institution for any purpose, by a 1594  
parolee, by an offender under transitional control, under a 1595  
community control sanction, or on an escorted visit, by a person 1596  
under post-release control, or by an offender under any other 1597  
type of supervision by a government agency. 1598

(c) The offense occurs off the grounds of a local 1599  
correctional facility, the victim of the offense is an employee 1600  
of the local correctional facility or a probation department, 1601  
the offense occurs during the employee's official work hours and 1602  
while the employee is engaged in official work responsibilities, 1603  
and the offense is committed by a person who is under custody in 1604  
the facility subsequent to the person's arrest for any crime or 1605  
delinquent act, subsequent to the person being charged with or 1606  
convicted of any crime, or subsequent to the person being 1607  
alleged to be or adjudicated a delinquent child and who 1608  
temporarily is outside of the facility for any purpose or by a 1609  
parolee, by an offender under transitional control, under a 1610  
community control sanction, or on an escorted visit, by a person 1611  
under post-release control, or by an offender under any other 1612  
type of supervision by a government agency. 1613

(d) The victim of the offense is a school teacher or administrator or a school bus operator, and the offense occurs in a school, on school premises, in a school building, on a school bus, or while the victim is outside of school premises or a school bus and is engaged in duties or official responsibilities associated with the victim's employment or position as a school teacher or administrator or a school bus operator, including, but not limited to, driving, accompanying, or chaperoning students at or on class or field trips, athletic events, or other school extracurricular activities or functions outside of school premises.

(5) If the assault is committed in any of the following circumstances, assault is a felony of the fourth degree:

(a) The victim of the offense is a peace officer or an investigator of the bureau of criminal identification and investigation, a firefighter, or a person performing emergency medical service, while in the performance of the officer's, investigator's, firefighter's, or person's official duties.

(b) The victim of the offense is an emergency service responder, the offender knows or reasonably should know that the victim is an emergency service responder, and it is the offender's specific purpose to commit the offense against an emergency service responder.

(c) The victim of the offense is a family or household member or co-worker of a person who is an emergency service responder, the offender knows or reasonably should know that the victim is a family or household member or co-worker of an emergency service responder, and it is the offender's specific purpose to commit the offense against a family or household member or co-worker of an emergency service responder.



(6) If the offense is a felony of the fourth degree under 1644  
division (C) (5) (a) of this section, if the victim of the offense 1645  
is a peace officer or an investigator of the bureau of criminal 1646  
identification and investigation, and if the victim suffered 1647  
serious physical harm as a result of the commission of the 1648  
offense, the court, pursuant to division (F) of section 2929.13 1649  
of the Revised Code, shall impose as a mandatory prison term one 1650  
of the prison terms prescribed for a felony of the fourth degree 1651  
that is at least twelve months in duration. 1652

(7) If the victim of the offense is an officer or employee 1653  
of a public children services agency or a private child placing 1654  
agency and the offense relates to the officer's or employee's 1655  
performance or anticipated performance of official 1656  
responsibilities or duties, assault is either a felony of the 1657  
fifth degree or, if the offender previously has been convicted 1658  
of or pleaded guilty to an offense of violence, the victim of 1659  
that prior offense was an officer or employee of a public 1660  
children services agency or private child placing agency, and 1661  
that prior offense related to the officer's or employee's 1662  
performance or anticipated performance of official 1663  
responsibilities or duties, a felony of the fourth degree. 1664

(8) If the victim of the offense is a health care 1665  
professional of a hospital, a health care worker of a hospital, 1666  
or a security officer of a hospital whom the offender knows or 1667  
has reasonable cause to know is a health care professional of a 1668  
hospital, a health care worker of a hospital, or a security 1669  
officer of a hospital, if the victim is engaged in the 1670  
performance of the victim's duties, and if the hospital offers 1671  
de-escalation or crisis intervention training for such 1672  
professionals, workers, or officers, assault is one of the 1673  
following: 1674

(a) Except as otherwise provided in division (C) (8) (b) of 1675  
this section, assault committed in the specified circumstances 1676  
is a misdemeanor of the first degree. Notwithstanding the fine 1677  
specified in division (A) (2) (a) of section 2929.28 of the 1678  
Revised Code for a misdemeanor of the first degree, in 1679  
sentencing the offender under this division and if the court 1680  
decides to impose a fine, the court may impose upon the offender 1681  
a fine of not more than five thousand dollars. 1682

(b) If the offender previously has been convicted of or 1683  
pleaded guilty to one or more assault or homicide offenses 1684  
committed against hospital personnel, assault committed in the 1685  
specified circumstances is a felony of the fifth degree. 1686

(9) If the victim of the offense is a judge, magistrate, 1687  
prosecutor, or court official or employee whom the offender 1688  
knows or has reasonable cause to know is a judge, magistrate, 1689  
prosecutor, or court official or employee, and if the victim is 1690  
engaged in the performance of the victim's duties, assault is 1691  
one of the following: 1692

(a) Except as otherwise provided in division (C) (9) (b) of 1693  
this section, assault committed in the specified circumstances 1694  
is a misdemeanor of the first degree. In sentencing the offender 1695  
under this division, if the court decides to impose a fine, 1696  
notwithstanding the fine specified in division (A) (2) (a) of 1697  
section 2929.28 of the Revised Code for a misdemeanor of the 1698  
first degree, the court may impose upon the offender a fine of 1699  
not more than five thousand dollars. 1700

(b) If the offender previously has been convicted of or 1701  
pleaded guilty to one or more assault or homicide offenses 1702  
committed against justice system personnel, assault committed in 1703  
the specified circumstances is a felony of the fifth degree. 1704

(10) If an offender who is convicted of or pleads guilty to assault when it is a misdemeanor also is convicted of or pleads guilty to a specification as described in section 2941.1423 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory jail term as provided in division (F) of section 2929.24 of the Revised Code.

If an offender who is convicted of or pleads guilty to assault when it is a felony also is convicted of or pleads guilty to a specification as described in section 2941.1423 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, except as otherwise provided in division (C) (6) of this section, the court shall sentence the offender to a mandatory prison term as provided in division (B) (8) of section 2929.14 of the Revised Code.

(D) A prosecution for a violation of this section does not preclude a prosecution of a violation of any other section of the Revised Code. One or more acts, a series of acts, or a course of behavior that can be prosecuted under this section or any other section of the Revised Code may be prosecuted under this section, the other section of the Revised Code, or both sections. However, if an offender is convicted of or pleads guilty to a violation of this section and also is convicted of or pleads guilty to a violation of section 2903.22 of the Revised Code based on the same conduct involving the same victim that was the basis of the violation of this section, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

(E) As used in this section:	1735
(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	1736 1737
(2) "Firefighter" means any person who is a firefighter as defined in section 3937.41 of the Revised Code and, for purposes of division (E) (21) of this section, also includes a member of a fire department as defined in section 742.01 of the Revised Code.	1738 1739 1740 1741 1742
(3) "Emergency medical service" has the same meaning as in section 4765.01 of the Revised Code.	1743 1744
(4) "Local correctional facility" means a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, a minimum security jail established under section 341.23 or 753.21 of the Revised Code, or another county, multicounty, municipal, municipal-county, or multicounty-municipal facility used for the custody of persons arrested for any crime or delinquent act, persons charged with or convicted of any crime, or persons alleged to be or adjudicated a delinquent child.	1745 1746 1747 1748 1749 1750 1751 1752 1753
(5) "Employee of a local correctional facility" means a person who is an employee of the political subdivision or of one or more of the affiliated political subdivisions that operates the local correctional facility and who operates or assists in the operation of the facility.	1754 1755 1756 1757 1758
(6) "School teacher or administrator" means either of the following:	1759 1760
(a) A person who is employed in the public schools of the state under a contract described in section 3311.77 or 3319.08	1761 1762

of the Revised Code in a position in which the person is 1763  
required to have a certificate issued pursuant to sections 1764  
3319.22 to 3319.311 of the Revised Code. 1765

(b) A person who is employed by a nonpublic school for 1766  
which the ~~state board~~ director of education and workforce 1767  
prescribes minimum standards under section 3301.07 of the 1768  
Revised Code and who is certificated in accordance with section 1769  
3301.071 of the Revised Code. 1770

(7) "Community control sanction" has the same meaning as 1771  
in section 2929.01 of the Revised Code. 1772

(8) "Escorted visit" means an escorted visit granted under 1773  
section 2967.27 of the Revised Code. 1774

(9) "Post-release control" and "transitional control" have 1775  
the same meanings as in section 2967.01 of the Revised Code. 1776

(10) "Investigator of the bureau of criminal 1777  
identification and investigation" has the same meaning as in 1778  
section 2903.11 of the Revised Code. 1779

(11) "Health care professional" and "health care worker" 1780  
have the same meanings as in section 2305.234 of the Revised 1781  
Code. 1782

(12) "Assault or homicide offense committed against 1783  
hospital personnel" means a violation of this section or of 1784  
section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 1785  
2903.12, or 2903.14 of the Revised Code committed in 1786  
circumstances in which all of the following apply: 1787

(a) The victim of the offense was a health care 1788  
professional of a hospital, a health care worker of a hospital, 1789  
or a security officer of a hospital. 1790

(b) The offender knew or had reasonable cause to know that 1791  
the victim was a health care professional of a hospital, a 1792  
health care worker of a hospital, or a security officer of a 1793  
hospital. 1794

(c) The victim was engaged in the performance of the 1795  
victim's duties. 1796

(d) The hospital offered de-escalation or crisis 1797  
intervention training for such professionals, workers, or 1798  
officers. 1799

(13) "De-escalation or crisis intervention training" means 1800  
de-escalation or crisis intervention training for health care 1801  
professionals of a hospital, health care workers of a hospital, 1802  
and security officers of a hospital to facilitate interaction 1803  
with patients, members of a patient's family, and visitors, 1804  
including those with mental impairments. 1805

(14) "Assault or homicide offense committed against 1806  
justice system personnel" means a violation of this section or 1807  
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 1808  
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 1809  
circumstances in which the victim of the offense was a judge, 1810  
magistrate, prosecutor, or court official or employee whom the 1811  
offender knew or had reasonable cause to know was a judge, 1812  
magistrate, prosecutor, or court official or employee, and the 1813  
victim was engaged in the performance of the victim's duties. 1814

(15) "Court official or employee" means any official or 1815  
employee of a court created under the constitution or statutes 1816  
of this state or of a United States court located in this state. 1817

(16) "Judge" means a judge of a court created under the 1818  
constitution or statutes of this state or of a United States 1819

court located in this state. 1820

(17) "Magistrate" means an individual who is appointed by 1821  
a court of record of this state and who has the powers and may 1822  
perform the functions specified in Civil Rule 53, Criminal Rule 1823  
19, or Juvenile Rule 40, or an individual who is appointed by a 1824  
United States court located in this state who has similar powers 1825  
and functions. 1826

(18) "Prosecutor" has the same meaning as in section 1827  
2935.01 of the Revised Code. 1828

(19) (a) "Hospital" means, subject to division (E) (19) (b) 1829  
of this section, an institution classified as a hospital under 1830  
section 3701.01 of the Revised Code in which are provided to 1831  
patients diagnostic, medical, surgical, obstetrical, 1832  
psychiatric, or rehabilitation care or a hospital operated by a 1833  
health maintenance organization. 1834

(b) "Hospital" does not include any of the following: 1835

(i) A facility licensed under Chapter 3721. of the Revised 1836  
Code, a health care facility operated by the department of 1837  
mental health and addiction services or the department of 1838  
developmental disabilities, a health maintenance organization 1839  
that does not operate a hospital, or the office of any private, 1840  
licensed health care professional, whether organized for 1841  
individual or group practice; 1842

(ii) An institution for the sick that is operated 1843  
exclusively for patients who use spiritual means for healing and 1844  
for whom the acceptance of medical care is inconsistent with 1845  
their religious beliefs, accredited by a national accrediting 1846  
organization, exempt from federal income taxation under section 1847  
501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 1848

U.S.C. 1, as amended, and providing twenty-four-hour nursing 1849  
care pursuant to the exemption in division (E) of section 1850  
4723.32 of the Revised Code from the licensing requirements of 1851  
Chapter 4723. of the Revised Code. 1852

(20) "Health maintenance organization" has the same 1853  
meaning as in section 3727.01 of the Revised Code. 1854

(21) "Emergency service responder" means any law 1855  
enforcement officer, first responder, emergency medical 1856  
technician-basic, emergency medical technician-intermediate, 1857  
emergency medical technician-paramedic, firefighter, or 1858  
volunteer firefighter. 1859

(22) "Family or household member" means any of the 1860  
following: 1861

(a) Any of the following who is residing or has resided 1862  
with a person who is employed as an emergency service responder: 1863

(i) A spouse, a person living as a spouse, or a former 1864  
spouse of a person who is employed as an emergency service 1865  
responder; 1866

(ii) A parent, a foster parent, or a child of a person who 1867  
is employed as an emergency service responder, or another person 1868  
related by consanguinity or affinity to a person who is employed 1869  
as an emergency service responder; 1870

(iii) A parent or a child of a spouse, person living as a 1871  
spouse, or former spouse of a person who is employed as an 1872  
emergency service responder, or another person related by 1873  
consanguinity or affinity to a spouse, person living as a 1874  
spouse, or former spouse of a person who is employed as an 1875  
emergency service responder. 1876



(b) The natural parent of any child of whom a person who 1877  
is employed as an emergency service responder is the other 1878  
natural parent or is the putative other natural parent. 1879

(23) "First responder," "emergency medical technician- 1880  
basic," "emergency medical technician-intermediate," and 1881  
"emergency medical technician-paramedic" have the same meanings 1882  
as in section 4765.01 of the Revised Code. 1883

(24) "Volunteer firefighter" has the same meaning as in 1884  
section 146.01 of the Revised Code. 1885

(25) "Person living as a spouse" means a person who is 1886  
living or has lived with a person who is employed as an 1887  
emergency service responder in a common law marital 1888  
relationship, who otherwise is cohabiting with a person who is 1889  
employed as an emergency service responder, or who otherwise has 1890  
cohabited with a person who is employed as an emergency service 1891  
responder within five years prior to the date of the alleged 1892  
commission of the act in question. 1893

(26) "Co-worker" means a person who is employed by the 1894  
organization or entity that is served by a person who is 1895  
employed as an emergency service responder." 1896

Delete lines 6896 through 7431 1897

After line 7431, insert: 1898

**"Sec. 2925.01.** As used in this chapter: 1899

(A) "Administer," "controlled substance," "controlled 1900  
substance analog," "dispense," "distribute," "hypodermic," 1901  
"manufacturer," "official written order," "person," 1902  
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 1903  
"schedule III," "schedule IV," "schedule V," and "wholesaler" 1904

have the same meanings as in section 3719.01 of the Revised Code.	1905 1906
(B) "Drug of abuse" and "person with a drug dependency" have the same meanings as in section 3719.011 of the Revised Code.	1907 1908 1909
(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.	1910 1911 1912 1913
(D) "Bulk amount" of a controlled substance means any of the following:	1914 1915
(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D) (2), (5), or (6) of this section, whichever of the following is applicable:	1916 1917 1918 1919 1920 1921
(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;	1922 1923 1924 1925
(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;	1926 1927 1928
(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a	1929 1930 1931 1932

schedule I stimulant or depressant;	1933
(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;	1934 1935 1936 1937 1938
(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;	1939 1940 1941
(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;	1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952
(g) An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.	1953 1954 1955 1956 1957 1958
(2) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of	1959 1960 1961

a compound, mixture, preparation, or substance that is or 1962  
contains any amount of a schedule III or IV substance other than 1963  
an anabolic steroid or a schedule III opiate or opium 1964  
derivative; 1965

(3) An amount equal to or exceeding twenty grams or five 1966  
times the maximum daily dose in the usual dose range specified 1967  
in a standard pharmaceutical reference manual of a compound, 1968  
mixture, preparation, or substance that is or contains any 1969  
amount of a schedule III opiate or opium derivative; 1970

(4) An amount equal to or exceeding two hundred fifty 1971  
milliliters or two hundred fifty grams of a compound, mixture, 1972  
preparation, or substance that is or contains any amount of a 1973  
schedule V substance; 1974

(5) An amount equal to or exceeding two hundred solid 1975  
dosage units, sixteen grams, or sixteen milliliters of a 1976  
compound, mixture, preparation, or substance that is or contains 1977  
any amount of a schedule III anabolic steroid; 1978

(6) For any compound, mixture, preparation, or substance 1979  
that is a combination of a fentanyl-related compound and any 1980  
other compound, mixture, preparation, or substance included in 1981  
schedule III, schedule IV, or schedule V, if the defendant is 1982  
charged with a violation of section 2925.11 of the Revised Code 1983  
and the sentencing provisions set forth in divisions (C)(10)(b) 1984  
and (C)(11) of that section will not apply regarding the 1985  
defendant and the violation, the bulk amount of the controlled 1986  
substance for purposes of the violation is the amount specified 1987  
in division (D)(1), (2), (3), (4), or (5) of this section for 1988  
the other schedule III, IV, or V controlled substance that is 1989  
combined with the fentanyl-related compound. 1990

(E) "Unit dose" means an amount or unit of a compound,	1991
mixture, or preparation containing a controlled substance that	1992
is separately identifiable and in a form that indicates that it	1993
is the amount or unit by which the controlled substance is	1994
separately administered to or taken by an individual.	1995
(F) "Cultivate" includes planting, watering, fertilizing,	1996
or tilling.	1997
(G) "Drug abuse offense" means any of the following:	1998
(1) A violation of division (A) of section 2913.02 that	1999
constitutes theft of drugs, or a violation of section 2925.02,	2000
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12,	2001
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36,	2002
or 2925.37 of the Revised Code;	2003
(2) A violation of an existing or former law of this or	2004
any other state or of the United States that is substantially	2005
equivalent to any section listed in division (G)(1) of this	2006
section;	2007
(3) An offense under an existing or former law of this or	2008
any other state, or of the United States, of which planting,	2009
cultivating, harvesting, processing, making, manufacturing,	2010
producing, shipping, transporting, delivering, acquiring,	2011
possessing, storing, distributing, dispensing, selling, inducing	2012
another to use, administering to another, using, or otherwise	2013
dealing with a controlled substance is an element;	2014
(4) A conspiracy to commit, attempt to commit, or	2015
complicity in committing or attempting to commit any offense	2016
under division (G)(1), (2), or (3) of this section.	2017
(H) "Felony drug abuse offense" means any drug abuse	2018

offense that would constitute a felony under the laws of this state, any other state, or the United States.	2019 2020
(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:	2021 2022
(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:	2023 2024 2025 2026 2027 2028
(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;	2029 2030 2031 2032
(b) Any aerosol propellant;	2033
(c) Any fluorocarbon refrigerant;	2034
(d) Any anesthetic gas.	2035
(2) Gamma Butyrolactone;	2036
(3) 1,4 Butanediol.	2037
(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.	2038 2039 2040 2041 2042 2043
(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere	2044 2045

access to the thing or substance through ownership or occupation 2046  
of the premises upon which the thing or substance is found. 2047

(L) "Sample drug" means a drug or pharmaceutical 2048  
preparation that would be hazardous to health or safety if used 2049  
without the supervision of a licensed health professional 2050  
authorized to prescribe drugs, or a drug of abuse, and that, at 2051  
one time, had been placed in a container plainly marked as a 2052  
sample by a manufacturer. 2053

(M) "Standard pharmaceutical reference manual" means the 2054  
current edition, with cumulative changes if any, of references 2055  
that are approved by the state board of pharmacy. 2056

(N) "Juvenile" means a person under eighteen years of age. 2057

(O) "Counterfeit controlled substance" means any of the 2058  
following: 2059

(1) Any drug that bears, or whose container or label 2060  
bears, a trademark, trade name, or other identifying mark used 2061  
without authorization of the owner of rights to that trademark, 2062  
trade name, or identifying mark; 2063

(2) Any unmarked or unlabeled substance that is 2064  
represented to be a controlled substance manufactured, 2065  
processed, packed, or distributed by a person other than the 2066  
person that manufactured, processed, packed, or distributed it; 2067

(3) Any substance that is represented to be a controlled 2068  
substance but is not a controlled substance or is a different 2069  
controlled substance; 2070

(4) Any substance other than a controlled substance that a 2071  
reasonable person would believe to be a controlled substance 2072  
because of its similarity in shape, size, and color, or its 2073

markings, labeling, packaging, distribution, or the price for 2074  
which it is sold or offered for sale. 2075

(P) An offense is "committed in the vicinity of a school" 2076  
if the offender commits the offense on school premises, in a 2077  
school building, or within one thousand feet of the boundaries 2078  
of any school premises, regardless of whether the offender knows 2079  
the offense is being committed on school premises, in a school 2080  
building, or within one thousand feet of the boundaries of any 2081  
school premises. 2082

(Q) "School" means any school operated by a board of 2083  
education, any community school established under Chapter 3314. 2084  
of the Revised Code, or any nonpublic school for which the ~~state~~ 2085  
~~board~~ director of education and workforce prescribes minimum 2086  
standards under section 3301.07 of the Revised Code, whether or 2087  
not any instruction, extracurricular activities, or training 2088  
provided by the school is being conducted at the time a criminal 2089  
offense is committed. 2090

(R) "School premises" means either of the following: 2091

(1) The parcel of real property on which any school is 2092  
situated, whether or not any instruction, extracurricular 2093  
activities, or training provided by the school is being 2094  
conducted on the premises at the time a criminal offense is 2095  
committed; 2096

(2) Any other parcel of real property that is owned or 2097  
leased by a board of education of a school, the governing 2098  
authority of a community school established under Chapter 3314. 2099  
of the Revised Code, or the governing body of a nonpublic school 2100  
for which the ~~state board~~ director of education and workforce 2101  
prescribes minimum standards under section 3301.07 of the 2102



Revised Code and on which some of the instruction, 2103  
extracurricular activities, or training of the school is 2104  
conducted, whether or not any instruction, extracurricular 2105  
activities, or training provided by the school is being 2106  
conducted on the parcel of real property at the time a criminal 2107  
offense is committed. 2108

(S) "School building" means any building in which any of 2109  
the instruction, extracurricular activities, or training 2110  
provided by a school is conducted, whether or not any 2111  
instruction, extracurricular activities, or training provided by 2112  
the school is being conducted in the school building at the time 2113  
a criminal offense is committed. 2114

(T) "Disciplinary counsel" means the disciplinary counsel 2115  
appointed by the board of commissioners on grievances and 2116  
discipline of the supreme court under the Rules for the 2117  
Government of the Bar of Ohio. 2118

(U) "Certified grievance committee" means a duly 2119  
constituted and organized committee of the Ohio state bar 2120  
association or of one or more local bar associations of the 2121  
state of Ohio that complies with the criteria set forth in Rule 2122  
V, section 6 of the Rules for the Government of the Bar of Ohio. 2123

(V) "Professional license" means any license, permit, 2124  
certificate, registration, qualification, admission, temporary 2125  
license, temporary permit, temporary certificate, or temporary 2126  
registration that is described in divisions (W) (1) to (37) of 2127  
this section and that qualifies a person as a professionally 2128  
licensed person. 2129

(W) "Professionally licensed person" means any of the 2130  
following: 2131

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and who holds an Ohio permit issued under that chapter;	2132 2133 2134 2135 2136
(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	2137 2138 2139
(3) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	2140 2141 2142
(4) A person licensed under Chapter 4707. of the Revised Code;	2143 2144
(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	2145 2146 2147
(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	2148 2149 2150
(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter	2151 2152 2153 2154 2155 2156 2157 2158 2159 2160

4713. of the Revised Code;	2161
(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	2162 2163 2164 2165 2166
(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;	2167 2168 2169 2170 2171
(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;	2172 2173 2174 2175
(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	2176 2177 2178
(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	2179 2180
(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	2181 2182
(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;	2183 2184 2185 2186
(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility,	2187 2188

third-party logistics provider, repackager of dangerous drugs,	2189
wholesale distributor of dangerous drugs, or terminal	2190
distributor of dangerous drugs;	2191
(16) A person who is authorized to practice as a physician	2192
assistant under Chapter 4730. of the Revised Code;	2193
(17) A person who has been issued a license to practice	2194
medicine and surgery, osteopathic medicine and surgery, or	2195
podiatric medicine and surgery under Chapter 4731. of the	2196
Revised Code or has been issued a certificate to practice a	2197
limited branch of medicine under that chapter;	2198
(18) A person licensed as a psychologist, independent	2199
school psychologist, or school psychologist under Chapter 4732.	2200
of the Revised Code;	2201
(19) A person registered to practice the profession of	2202
engineering or surveying under Chapter 4733. of the Revised	2203
Code;	2204
(20) A person who has been issued a license to practice	2205
chiropractic under Chapter 4734. of the Revised Code;	2206
(21) A person licensed to act as a real estate broker or	2207
real estate salesperson under Chapter 4735. of the Revised Code;	2208
(22) A person registered as a registered environmental	2209
health specialist under Chapter 4736. of the Revised Code;	2210
(23) A person licensed to operate or maintain a junkyard	2211
under Chapter 4737. of the Revised Code;	2212
(24) A person who has been issued a motor vehicle salvage	2213
dealer's license under Chapter 4738. of the Revised Code;	2214
(25) A person who has been licensed to act as a steam	2215

engineer under Chapter 4739. of the Revised Code;	2216
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	2217 2218 2219 2220
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	2221 2222 2223
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	2224 2225 2226
(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	2227 2228
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	2229 2230 2231
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	2232 2233 2234
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	2235 2236 2237 2238 2239 2240
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	2241 2242
(34) A person who has been issued a license or limited	2243

permit to practice respiratory therapy under Chapter 4761. of	2244
the Revised Code;	2245
(35) A person who has been issued a real estate appraiser	2246
certificate under Chapter 4763. of the Revised Code;	2247
(36) A person who has been issued a home inspector license	2248
under Chapter 4764. of the Revised Code;	2249
(37) A person who has been admitted to the bar by order of	2250
the supreme court in compliance with its prescribed and	2251
published rules.	2252
(X) "Cocaine" means any of the following:	2253
(1) A cocaine salt, isomer, or derivative, a salt of a	2254
cocaine isomer or derivative, or the base form of cocaine;	2255
(2) Coca leaves or a salt, compound, derivative, or	2256
preparation of coca leaves, including ecgonine, a salt, isomer,	2257
or derivative of ecgonine, or a salt of an isomer or derivative	2258
of ecgonine;	2259
(3) A salt, compound, derivative, or preparation of a	2260
substance identified in division (X) (1) or (2) of this section	2261
that is chemically equivalent to or identical with any of those	2262
substances, except that the substances shall not include	2263
decocainized coca leaves or extraction of coca leaves if the	2264
extractions do not contain cocaine or ecgonine.	2265
(Y) "L.S.D." means lysergic acid diethylamide.	2266
(Z) "Hashish" means a resin or a preparation of a resin to	2267
which both of the following apply:	2268
(1) It is contained in or derived from any part of the	2269
plant of the genus cannabis, whether in solid form or in a	2270

liquid concentrate, liquid extract, or liquid distillate form. 2271

(2) It has a delta-9 tetrahydrocannabinol concentration of 2272  
more than three-tenths per cent. 2273

"Hashish" does not include a hemp byproduct in the 2274  
possession of a licensed hemp processor under Chapter 928. of 2275  
the Revised Code, provided that the hemp byproduct is being 2276  
produced, stored, and disposed of in accordance with rules 2277  
adopted under section 928.03 of the Revised Code. 2278

(AA) "Marihuana" has the same meaning as in section 2279  
3719.01 of the Revised Code, except that it does not include 2280  
hashish. 2281

(BB) An offense is "committed in the vicinity of a 2282  
juvenile" if the offender commits the offense within one hundred 2283  
feet of a juvenile or within the view of a juvenile, regardless 2284  
of whether the offender knows the age of the juvenile, whether 2285  
the offender knows the offense is being committed within one 2286  
hundred feet of or within view of the juvenile, or whether the 2287  
juvenile actually views the commission of the offense. 2288

(CC) "Presumption for a prison term" or "presumption that 2289  
a prison term shall be imposed" means a presumption, as 2290  
described in division (D) of section 2929.13 of the Revised 2291  
Code, that a prison term is a necessary sanction for a felony in 2292  
order to comply with the purposes and principles of sentencing 2293  
under section 2929.11 of the Revised Code. 2294

(DD) "Major drug offender" has the same meaning as in 2295  
section 2929.01 of the Revised Code. 2296

(EE) "Minor drug possession offense" means either of the 2297  
following: 2298

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;	2299 2300
(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.	2301 2302 2303
(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.	2304 2305
(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.	2306 2307
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	2308 2309 2310
(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.	2311 2312 2313 2314 2315
(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.	2316 2317
(KK) "Fentanyl-related compound" means any of the following:	2318 2319
(1) Fentanyl;	2320
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	2321 2322 2323
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	2324 2325



(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl) -N-phenylpropanamide);	2326 2327
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	2328 2329 2330
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	2331 2332
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4- piperidinyl]-N-phenylpropanamide);	2333 2334
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]propanamide;	2335 2336
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;	2337 2338
(10) Alfentanil;	2339
(11) Carfentanil;	2340
(12) Remifentanil;	2341
(13) Sufentanil;	2342
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4- piperidinyl]-N-phenylacetamide); and	2343 2344
(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:	2345 2346 2347 2348 2349 2350 2351

(a) A chemical scaffold consisting of both of the	2352
following:	2353
(i) A five, six, or seven member ring structure containing	2354
a nitrogen, whether or not further substituted;	2355
(ii) An attached nitrogen to the ring, whether or not that	2356
nitrogen is enclosed in a ring structure, including an attached	2357
aromatic ring or other lipophilic group to that nitrogen.	2358
(b) A polar functional group attached to the chemical	2359
scaffold, including but not limited to a hydroxyl, ketone,	2360
amide, or ester;	2361
(c) An alkyl or aryl substitution off the ring nitrogen of	2362
the chemical scaffold; and	2363
(d) The compound has not been approved for medical use by	2364
the United States food and drug administration.	2365
(LL) "First degree felony mandatory prison term" means one	2366
of the definite prison terms prescribed in division (A) (1) (b) of	2367
section 2929.14 of the Revised Code for a felony of the first	2368
degree, except that if the violation for which sentence is being	2369
imposed is committed on or after March 22, 2019, it means one of	2370
the minimum prison terms prescribed in division (A) (1) (a) of	2371
that section for a felony of the first degree.	2372
(MM) "Second degree felony mandatory prison term" means	2373
one of the definite prison terms prescribed in division (A) (2)	2374
(b) of section 2929.14 of the Revised Code for a felony of the	2375
second degree, except that if the violation for which sentence	2376
is being imposed is committed on or after March 22, 2019, it	2377
means one of the minimum prison terms prescribed in division (A)	2378
(2) (a) of that section for a felony of the second degree.	2379

(NN) "Maximum first degree felony mandatory prison term" 2380  
means the maximum definite prison term prescribed in division 2381  
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 2382  
the first degree, except that if the violation for which 2383  
sentence is being imposed is committed on or after March 22, 2384  
2019, it means the longest minimum prison term prescribed in 2385  
division (A) (1) (a) of that section for a felony of the first 2386  
degree. 2387

(OO) "Maximum second degree felony mandatory prison term" 2388  
means the maximum definite prison term prescribed in division 2389  
(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 2390  
the second degree, except that if the violation for which 2391  
sentence is being imposed is committed on or after March 22, 2392  
2019, it means the longest minimum prison term prescribed in 2393  
division (A) (2) (a) of that section for a felony of the second 2394  
degree. 2395

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning 2396  
as in section 928.01 of the Revised Code. 2397

(QQ) An offense is "committed in the vicinity of a 2398  
substance addiction services provider or a recovering addict" if 2399  
either of the following apply: 2400

(1) The offender commits the offense on the premises of a 2401  
substance addiction services provider's facility, including a 2402  
facility licensed prior to June 29, 2019, under section 5119.391 2403  
of the Revised Code to provide methadone treatment or an opioid 2404  
treatment program licensed on or after that date under section 2405  
5119.37 of the Revised Code, or within five hundred feet of the 2406  
premises of a substance addiction services provider's facility 2407  
and the offender knows or should know that the offense is being 2408  
committed within the vicinity of the substance addiction 2409

services provider's facility. 2410

(2) The offender sells, offers to sell, delivers, or 2411  
distributes the controlled substance or controlled substance 2412  
analog to a person who is receiving treatment at the time of the 2413  
commission of the offense, or received treatment within thirty 2414  
days prior to the commission of the offense, from a substance 2415  
addiction services provider and the offender knows that the 2416  
person is receiving or received that treatment. 2417

(RR) "Substance addiction services provider" means an 2418  
agency, association, corporation or other legal entity, 2419  
individual, or program that provides one or more of the 2420  
following at a facility: 2421

(1) Either alcohol addiction services, or drug addiction 2422  
services, or both such services that are certified by the 2423  
director of mental health and addiction services under section 2424  
5119.36 of the Revised Code; 2425

(2) Recovery supports that are related to either alcohol 2426  
addiction services, or drug addiction services, or both such 2427  
services and paid for with federal, state, or local funds 2428  
administered by the department of mental health and addiction 2429  
services or a board of alcohol, drug addiction, and mental 2430  
health services. 2431

(SS) "Premises of a substance addiction services 2432  
provider's facility" means the parcel of real property on which 2433  
any substance addiction service provider's facility is situated. 2434

(TT) "Alcohol and drug addiction services" has the same 2435  
meaning as in section 5119.01 of the Revised Code. " 2436

Delete lines 7944 through 8235 2437

After line 8235, insert:	2438
<b>"Sec. 2953.34.</b> (A) Inspection of the sealed records	2439
included in a sealing order may be made only by the following	2440
persons or for the following purposes:	2441
(1) By a law enforcement officer or prosecutor, or the	2442
assistants of either, to determine whether the nature and	2443
character of the offense with which a person is to be charged	2444
would be affected by virtue of the person's previously having	2445
been convicted of a crime;	2446
(2) By the parole or probation officer of the person who	2447
is the subject of the records, for the exclusive use of the	2448
officer in supervising the person while on parole or under a	2449
community control sanction or a post-release control sanction,	2450
and in making inquiries and written reports as requested by the	2451
court or adult parole authority;	2452
(3) Upon application by the person who is the subject of	2453
the records, by the persons named in the application;	2454
(4) By a law enforcement officer who was involved in the	2455
case, for use in the officer's defense of a civil action arising	2456
out of the officer's involvement in that case;	2457
(5) By a prosecuting attorney or the prosecuting	2458
attorney's assistants, to determine a defendant's eligibility to	2459
enter a pre-trial diversion program established pursuant to	2460
section 2935.36 of the Revised Code;	2461
(6) By any law enforcement agency or any authorized	2462
employee of a law enforcement agency or by the department of	2463
rehabilitation and correction or department of youth services as	2464
part of a background investigation of a person who applies for	2465

employment with the agency or with the department;	2466
(7) By any law enforcement agency or any authorized	2467
employee of a law enforcement agency, for the purposes set forth	2468
in, and in the manner provided in, division (I) of section	2469
2953.34 of the Revised Code;	2470
(8) By the bureau of criminal identification and	2471
investigation or any authorized employee of the bureau for the	2472
purpose of providing information to a board or person pursuant	2473
to division (F) or (G) of section 109.57 of the Revised Code;	2474
(9) By the bureau of criminal identification and	2475
investigation or any authorized employee of the bureau for the	2476
purpose of performing a criminal history records check on a	2477
person to whom a certificate as prescribed in section 109.77 of	2478
the Revised Code is to be awarded;	2479
(10) By the bureau of criminal identification and	2480
investigation or any authorized employee of the bureau for the	2481
purpose of conducting a criminal records check of an individual	2482
pursuant to division (B) of section 109.572 of the Revised Code	2483
that was requested pursuant to any of the sections identified in	2484
division (B) (1) of that section;	2485
(11) By the bureau of criminal identification and	2486
investigation, an authorized employee of the bureau, a sheriff,	2487
or an authorized employee of a sheriff in connection with a	2488
criminal records check described in section 311.41 of the	2489
Revised Code;	2490
(12) By the attorney general or an authorized employee of	2491
the attorney general or a court for purposes of determining a	2492
person's classification pursuant to Chapter 2950. of the Revised	2493
Code;	2494

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

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

(B) In any criminal proceeding, proof of any otherwise admissible prior conviction may be introduced and proved, notwithstanding the fact that for any such prior conviction an order of sealing or expungement previously was issued pursuant to sections 2953.31 to 2953.34 of the Revised Code.

(C) The person or governmental agency, office, or department that maintains sealed records pertaining to convictions or bail forfeitures that have been sealed pursuant to section 2953.32 of the Revised Code may maintain a manual or computerized index to the sealed records. The index shall contain only the name of, and alphanumeric identifiers that relate to, the persons who are the subject of the sealed records, the word "sealed," and the name of the person, agency, office, or department that has custody of the sealed records, and shall not contain the name of the crime committed. The index shall be made available by the person who has custody of the sealed records only for the purposes set forth in divisions (A), (B), and (D) of this section.

(D) Notwithstanding any provision of this section or section 2953.32 of the Revised Code that requires otherwise, a board of education of a city, local, exempted village, or joint

vocational school district that maintains records of an 2525  
individual who has been permanently excluded under sections 2526  
3301.121 and 3313.662 of the Revised Code is permitted to 2527  
maintain records regarding a conviction that was used as the 2528  
basis for the individual's permanent exclusion, regardless of a 2529  
court order to seal or expunge the record. An order issued under 2530  
this section to seal or expunge the record of a conviction does 2531  
not revoke the adjudication order of the ~~superintendent of~~ 2532  
~~public instruction~~ director of education and workforce to 2533  
permanently exclude the individual who is the subject of the 2534  
sealing or expungement order. An order issued under this section 2535  
to seal or expunge the record of a conviction of an individual 2536  
may be presented to a district superintendent as evidence to 2537  
support the contention that the superintendent should recommend 2538  
that the permanent exclusion of the individual who is the 2539  
subject of the sealing or expungement order be revoked. Except 2540  
as otherwise authorized by this division and sections 3301.121 2541  
and 3313.662 of the Revised Code, any school employee in 2542  
possession of or having access to the sealed or expunged 2543  
conviction records of an individual that were the basis of a 2544  
permanent exclusion of the individual is subject to division (J) 2545  
of this section. 2546

(E) Notwithstanding any provision of this section or 2547  
section 2953.32 of the Revised Code that requires otherwise, if 2548  
the auditor of state or a prosecutor maintains records, reports, 2549  
or audits of an individual who has been forever disqualified 2550  
from holding public office, employment, or a position of trust 2551  
in this state under sections 2921.41 and 2921.43 of the Revised 2552  
Code, or has otherwise been convicted of an offense based upon 2553  
the records, reports, or audits of the auditor of state, the 2554  
auditor of state or prosecutor is permitted to maintain those 2555



records to the extent they were used as the basis for the 2556  
individual's disqualification or conviction, and shall not be 2557  
compelled by court order to seal or expunge those records. 2558

(F) For purposes of sections 2953.31 and 2953.34 of the 2559  
Revised Code, DNA records collected in the DNA database and 2560  
fingerprints filed for record by the superintendent of the 2561  
bureau of criminal identification and investigation shall not be 2562  
sealed or expunged unless the superintendent receives a 2563  
certified copy of a final court order establishing that the 2564  
offender's conviction has been overturned. For purposes of this 2565  
section, a court order is not "final" if time remains for an 2566  
appeal or application for discretionary review with respect to 2567  
the order. 2568

(G) The sealing of a record under this section does not 2569  
affect the assessment of points under section 4510.036 of the 2570  
Revised Code and does not erase points assessed against a person 2571  
as a result of the sealed record. 2572

(H) (1) The court shall send notice of any order to seal 2573  
official records issued pursuant to division (B) (3) of section 2574  
2953.33 of the Revised Code to the bureau of criminal 2575  
identification and investigation and shall send notice of any 2576  
order issued pursuant to division (B) (4) of that section to any 2577  
public office or agency that the court knows or has reason to 2578  
believe may have any record of the case, whether or not it is an 2579  
official record, that is the subject of the order. 2580

(2) A person whose official records have been sealed 2581  
pursuant to an order issued pursuant to section 2953.33 of the 2582  
Revised Code may present a copy of that order and a written 2583  
request to comply with it, to a public office or agency that has 2584  
a record of the case that is the subject of the order. 2585

(3) An order to seal official records issued pursuant to 2586  
section 2953.33 of the Revised Code applies to every public 2587  
office or agency that has a record of the case that is the 2588  
subject of the order, regardless of whether it receives notice 2589  
of the hearing on the application for the order to seal the 2590  
official records or receives a copy of the order to seal the 2591  
official records pursuant to division (H) (1) or (2) of this 2592  
section. 2593

(4) Upon receiving a copy of an order to seal official 2594  
records pursuant to division (H) (1) or (2) of this section or 2595  
upon otherwise becoming aware of an applicable order to seal 2596  
official records issued pursuant to section 2953.33 of the 2597  
Revised Code, a public office or agency shall comply with the 2598  
order and, if applicable, with division (K) of this section, 2599  
except that it may maintain a record of the case that is the 2600  
subject of the order if the record is maintained for the purpose 2601  
of compiling statistical data only and does not contain any 2602  
reference to the person who is the subject of the case and the 2603  
order. 2604

(5) A public office or agency also may maintain an index 2605  
of sealed official records, in a form similar to that for sealed 2606  
records of conviction as set forth in division (C) of this 2607  
section, access to which may not be afforded to any person other 2608  
than the person who has custody of the sealed official records. 2609  
The sealed official records to which such an index pertains 2610  
shall not be available to any person, except that the official 2611  
records of a case that have been sealed may be made available to 2612  
the following persons for the following purposes: 2613

(a) To the person who is the subject of the records upon 2614  
written application, and to any other person named in the 2615

application, for any purpose; 2616

(b) To a law enforcement officer who was involved in the 2617  
case, for use in the officer's defense of a civil action arising 2618  
out of the officer's involvement in that case; 2619

(c) To a prosecuting attorney or the prosecuting 2620  
attorney's assistants to determine a defendant's eligibility to 2621  
enter a pre-trial diversion program established pursuant to 2622  
section 2935.36 of the Revised Code; 2623

(d) To a prosecuting attorney or the prosecuting 2624  
attorney's assistants to determine a defendant's eligibility to 2625  
enter a pre-trial diversion program under division (E) (2) (b) of 2626  
section 4301.69 of the Revised Code. 2627

(I) (1) Upon the issuance of an order by a court pursuant 2628  
to division (D) (2) of section 2953.32 of the Revised Code 2629  
directing that all official records of a case pertaining to a 2630  
conviction or bail forfeiture be sealed or expunged or an order 2631  
by a court pursuant to division (E) of section 2151.358, 2632  
division (C) (2) of section 2953.35, or division (E) of section 2633  
2953.36 of the Revised Code directing that all official records 2634  
of a case pertaining to a conviction or delinquent child 2635  
adjudication be expunged: 2636

(a) Every law enforcement officer who possesses 2637  
investigatory work product immediately shall deliver that work 2638  
product to the law enforcement officer's employing law 2639  
enforcement agency. 2640

(b) Except as provided in divisions (I) (1) (c) and (d) of 2641  
this section, every law enforcement agency that possesses 2642  
investigatory work product shall close that work product to all 2643  
persons who are not directly employed by the law enforcement 2644

agency and shall treat that work product, in relation to all 2645  
persons other than those who are directly employed by the law 2646  
enforcement agency, as if it did not exist and never had 2647  
existed. 2648

(c) A law enforcement agency that possesses investigatory 2649  
work product may permit another law enforcement agency to use 2650  
that work product in the investigation of another offense if the 2651  
facts incident to the offense being investigated by the other 2652  
law enforcement agency and the facts incident to an offense that 2653  
is the subject of the case are reasonably similar. The agency 2654  
that permits the use of investigatory work product may provide 2655  
the other agency with the name of the person who is the subject 2656  
of the case if it believes that the name of the person is 2657  
necessary to the conduct of the investigation by the other 2658  
agency. 2659

(d) The auditor of state may provide to or discuss with 2660  
other parties investigatory work product maintained pursuant to 2661  
Chapter 117. of the Revised Code by the auditor of state. 2662

(2) (a) Except as provided in divisions (I) (1) (c) and (d) 2663  
of this section, no law enforcement officer or other person 2664  
employed by a law enforcement agency shall knowingly release, 2665  
disseminate, or otherwise make the investigatory work product or 2666  
any information contained in that work product available to, or 2667  
discuss any information contained in it with, any person not 2668  
employed by the employing law enforcement agency. 2669

(b) No law enforcement agency, or person employed by a law 2670  
enforcement agency, that receives investigatory work product 2671  
pursuant to divisions (I) (1) (c) and (d) of this section shall 2672  
use that work product for any purpose other than the 2673  
investigation of the offense for which it was obtained from the 2674

other law enforcement agency, or disclose the name of the person 2675  
who is the subject of the work product except when necessary for 2676  
the conduct of the investigation of the offense, or the 2677  
prosecution of the person for committing the offense, for which 2678  
it was obtained from the other law enforcement agency. 2679

(3) Whoever violates division (I) (2) (a) or (b) of this 2680  
section is guilty of divulging confidential investigatory work 2681  
product, a misdemeanor of the fourth degree. 2682

(J) (1) Except as authorized by divisions (A) to (C) of 2683  
this section or by Chapter 2950. of the Revised Code and subject 2684  
to division (J) (2) of this section, any officer or employee of 2685  
the state, or a political subdivision of the state, who releases 2686  
or otherwise disseminates or makes available for any purpose 2687  
involving employment, bonding, or licensing in connection with 2688  
any business, trade, or profession to any person, or to any 2689  
department, agency, or other instrumentality of the state, or 2690  
any political subdivision of the state, any information or other 2691  
data concerning any law enforcement or justice system matter the 2692  
records with respect to which the officer or employee had 2693  
knowledge of were sealed by an existing order issued pursuant to 2694  
section 2953.32 of the Revised Code, division (E) of section 2695  
2151.358, section 2953.35, or section 2953.36 of the Revised 2696  
Code, or were expunged by an order issued pursuant to section 2697  
2953.42 of the Revised Code as it existed prior to June 29, 2698  
1988, is guilty of divulging confidential information, a 2699  
misdemeanor of the fourth degree. 2700

(2) Division (J) (1) of this section does not apply to an 2701  
officer or employee of the state, or a political subdivision of 2702  
the state, who releases or otherwise disseminates or makes 2703  
available for any purpose specified in that division any 2704

information or other data concerning a law enforcement or	2705
justice system matter the records of which the officer had	2706
knowledge were sealed or expunged by an order of a type	2707
described in that division, if all of the following apply:	2708
(a) The officer or employee released, disseminated, or	2709
made available the information or data from the sealed or	2710
expunged records together with information or data concerning	2711
another law enforcement or justice system matter.	2712
(b) The records of the other law enforcement or justice	2713
system matter were not sealed or expunged by any order of a type	2714
described in division (J) (1) of this section.	2715
(c) The law enforcement or justice system matter covered	2716
by the information or data from the sealed or expunged records	2717
and the other law enforcement or justice system matter covered	2718
by the information or data from the records that were not sealed	2719
or expunged resulted from or were connected to the same act.	2720
(d) The officer or employee made a good faith effort to	2721
not release, disseminate, or make available any information or	2722
other data concerning any law enforcement or justice system	2723
matter from the sealed or expunged records, and the officer or	2724
employee did not release, disseminate, or make available the	2725
information or other data from the sealed or expunged records	2726
with malicious purpose, in bad faith, or in a wanton or reckless	2727
manner.	2728
(3) Any person who, in violation of this section, uses,	2729
disseminates, or otherwise makes available any index prepared	2730
pursuant to division (C) of this section is guilty of a	2731
misdemeanor of the fourth degree.	2732
(K) (1) Except as otherwise provided in Chapter 2950. of	2733

the Revised Code, upon the issuance of an order by a court under 2734  
division (B) of section 2953.33 of the Revised Code directing 2735  
that all official records pertaining to a case be sealed and 2736  
that the proceedings in the case be deemed not to have occurred: 2737

(a) Every law enforcement officer possessing records or 2738  
reports pertaining to the case that are the officer's specific 2739  
investigatory work product and that are excepted from the 2740  
definition of official records shall immediately deliver the 2741  
records and reports to the officer's employing law enforcement 2742  
agency. Except as provided in division (K)(1)(c) or (d) of this 2743  
section, no such officer shall knowingly release, disseminate, 2744  
or otherwise make the records and reports or any information 2745  
contained in them available to, or discuss any information 2746  
contained in them with, any person not employed by the officer's 2747  
employing law enforcement agency. 2748

(b) Every law enforcement agency that possesses records or 2749  
reports pertaining to the case that are its specific 2750  
investigatory work product and that are excepted from the 2751  
definition of official records, or that are the specific 2752  
investigatory work product of a law enforcement officer it 2753  
employs and that were delivered to it under division (K)(1)(a) 2754  
of this section shall, except as provided in division (K)(1)(c) 2755  
or (d) of this section, close the records and reports to all 2756  
persons who are not directly employed by the law enforcement 2757  
agency and shall, except as provided in division (K)(1)(c) or 2758  
(d) of this section, treat the records and reports, in relation 2759  
to all persons other than those who are directly employed by the 2760  
law enforcement agency, as if they did not exist and had never 2761  
existed. Except as provided in division (K)(1)(c) or (d) of this 2762  
section, no person who is employed by the law enforcement agency 2763  
shall knowingly release, disseminate, or otherwise make the 2764

records and reports in the possession of the employing law 2765  
enforcement agency or any information contained in them 2766  
available to, or discuss any information contained in them with, 2767  
any person not employed by the employing law enforcement agency. 2768

(c) A law enforcement agency that possesses records or 2769  
reports pertaining to the case that are its specific 2770  
investigatory work product and that are excepted from the 2771  
definition of official records, or that are the specific 2772  
investigatory work product of a law enforcement officer it 2773  
employs and that were delivered to it under division (K) (1) (a) 2774  
of this section may permit another law enforcement agency to use 2775  
the records or reports in the investigation of another offense, 2776  
if the facts incident to the offense being investigated by the 2777  
other law enforcement agency and the facts incident to an 2778  
offense that is the subject of the case are reasonably similar. 2779  
The agency that provides the records and reports may provide the 2780  
other agency with the name of the person who is the subject of 2781  
the case, if it believes that the name of the person is 2782  
necessary to the conduct of the investigation by the other 2783  
agency. 2784

No law enforcement agency, or person employed by a law 2785  
enforcement agency, that receives from another law enforcement 2786  
agency records or reports pertaining to a case the records of 2787  
which have been ordered sealed pursuant to division (B) of 2788  
section 2953.33 of the Revised Code shall use the records and 2789  
reports for any purpose other than the investigation of the 2790  
offense for which they were obtained from the other law 2791  
enforcement agency, or disclose the name of the person who is 2792  
the subject of the records or reports except when necessary for 2793  
the conduct of the investigation of the offense, or the 2794  
prosecution of the person for committing the offense, for which 2795



they were obtained from the other law enforcement agency. 2796

(d) The auditor of state may provide to or discuss with 2797  
other parties records, reports, or audits maintained by the 2798  
auditor of state pursuant to Chapter 117. of the Revised Code 2799  
pertaining to the case that are the auditor of state's specific 2800  
investigatory work product and that are excepted from the 2801  
definition of "official records" contained in division (C) of 2802  
section 2953.31 of the Revised Code, or that are the specific 2803  
investigatory work product of a law enforcement officer the 2804  
auditor of state employs and that were delivered to the auditor 2805  
of state under division (K) (1) (a) of this section. 2806

(2) Whoever violates division (K) (1) of this section is 2807  
guilty of divulging confidential information, a misdemeanor of 2808  
the fourth degree. 2809

(L) (1) In any application for employment, license, or any 2810  
other right or privilege, any appearance as a witness, or any 2811  
other inquiry, a person may not be questioned with respect to 2812  
any record that has been sealed pursuant to section 2953.33 of 2813  
the Revised Code. If an inquiry is made in violation of this 2814  
division, the person whose official record was sealed may 2815  
respond as if the arrest underlying the case to which the sealed 2816  
official records pertain and all other proceedings in that case 2817  
did not occur, and the person whose official record was sealed 2818  
shall not be subject to any adverse action because of the 2819  
arrest, the proceedings, or the person's response. 2820

(2) An officer or employee of the state or any of its 2821  
political subdivisions who knowingly releases, disseminates, or 2822  
makes available for any purpose involving employment, bonding, 2823  
licensing, or education to any person or to any department, 2824  
agency, or other instrumentality of the state, or of any of its 2825

political subdivisions, any information or other data concerning 2826  
any arrest, complaint, indictment, information, trial, 2827  
adjudication, or correctional supervision, knowing the records 2828  
of which have been sealed pursuant to section 2953.33 of the 2829  
Revised Code, is guilty of divulging confidential information, a 2830  
misdemeanor of the fourth degree. 2831

(M) It is not a violation of division (I), (J), (K), or 2832  
(L) of this section for the bureau of criminal identification 2833  
and investigation or any authorized employee of the bureau 2834  
participating in the investigation of criminal activity to 2835  
release, disseminate, or otherwise make available to, or discuss 2836  
with, a person directly employed by a law enforcement agency DNA 2837  
records collected in the DNA database or fingerprints filed for 2838  
record by the superintendent of the bureau of criminal 2839  
identification and investigation. 2840

(N) (1) An order issued under section 2953.35 of the 2841  
Revised Code to expunge the record of a person's conviction or, 2842  
except as provided in division (D) of this section, an order 2843  
issued under that section to seal the record of a person's 2844  
conviction restores the person who is the subject of the order 2845  
to all rights and privileges not otherwise restored by 2846  
termination of the sentence or community control sanction or by 2847  
final release on parole or post-release control. 2848

(2) (a) In any application for employment, license, or 2849  
other right or privilege, any appearance as a witness, or any 2850  
other inquiry, except as provided in division (B) of this 2851  
section and in section 3319.292 of the Revised Code and subject 2852  
to division (N) (2) (c) of this section, a person may be 2853  
questioned only with respect to convictions not sealed, bail 2854  
forfeitures not expunged under section 2953.42 of the Revised 2855

Code as it existed prior to June 29, 1988, and bail forfeitures 2856  
not sealed, unless the question bears a direct and substantial 2857  
relationship to the position for which the person is being 2858  
considered. 2859

(b) In any application for a certificate of qualification 2860  
for employment under section 2953.25 of the Revised Code, a 2861  
person may be questioned only with respect to convictions not 2862  
sealed and bail forfeitures not sealed. 2863

(c) A person may not be questioned in any application, 2864  
appearance, or inquiry of a type described in division (N) (2) (a) 2865  
of this section with respect to any conviction expunged under 2866  
section 2953.35 of the Revised Code. 2867

(O) Nothing in section 2953.32 or 2953.34 of the Revised 2868  
Code precludes an offender from taking an appeal or seeking any 2869  
relief from the offender's conviction or from relying on it in 2870  
lieu of any subsequent prosecution for the same offense." 2871

Delete lines 11878 through 11942 2872

After line 11942, insert: 2873

**"Sec. 3301.221.** (A) As used in this section and section 2874  
3313.60 of the Revised Code, "evidence-based" means a program or 2875  
practice that does either of the following: 2876

(1) Demonstrates a rationale based on high-quality 2877  
research findings or positive evaluation that such a program or 2878  
practice is likely to improve relevant outcomes and includes 2879  
ongoing efforts to examine the effects of the program or 2880  
practice; 2881

(2) Has a statistically significant effect on relevant 2882  
outcomes based on: 2883

(a) Strong evidence from at least one well-designed and well-implemented experimental study;	2884
	2885
(b) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or	2886
	2887
(c) Promising evidence from at least one well-designed and well-implemented correlation study with statistical controls for selection bias.	2888
	2889
	2890
(B) The department of education <u>and workforce</u> , in consultation with the department of public safety and the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of <del>education's</del> <u>education and workforce's</u> web site, for instruction in suicide awareness and prevention and violence prevention as prescribed under division (A) (5) (h) of section 3313.60 and division (D) of section 3319.073 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:	2891
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	2902
(1) How to instruct school personnel to identify the signs and symptoms of depression, suicide, and self-harm in students;	2903
	2904
(2) How to instruct students to identify the signs and symptoms of depression, suicide, and self-harm in their peers;	2905
	2906
(3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;	2907
	2908
	2909
(4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and	2910
	2911

processes for seeking help on behalf of self and peers and	2912
reporting of these behaviors;	2913
(5) How to identify observable warning signs and signals	2914
of individuals who may be a threat to themselves or others;	2915
(6) The importance of taking threats seriously and seeking	2916
help;	2917
(7) How students can report dangerous, violent,	2918
threatening, harmful, or potentially harmful activity, including	2919
the use of the district's chosen anonymous reporting program.	2920
(C) The department of <u>education and workforce</u> , in	2921
consultation with the department of mental health and addiction	2922
services, shall maintain a list of approved training programs,	2923
to be posted on the department of <del>education's</del> <u>education and</u>	2924
<u>workforce's</u> web site, for instruction in social inclusion as	2925
prescribed by division (A) (5) (j) of section 3313.60 of the	2926
Revised Code. The list of approved training programs shall	2927
include at least one option that is free or of no cost to	2928
schools. The approved training programs shall be evidence-based	2929
and include the following:	2930
(1) What social isolation is and how to identify it in	2931
others;	2932
(2) What social inclusion is and the importance of	2933
establishing connections with peers;	2934
(3) When and how to seek help for peers who may be	2935
socially isolated;	2936
(4) How to utilize strategies for more social inclusion in	2937
classrooms and the school community."	2938
Delete lines 18855 through 19026	2939

After line 19026, insert:	2940
<b>"Sec. 3310.41.</b> (A) As used in this section:	2941
(1) "Alternative public provider" means either of the	2942
following providers that agrees to enroll a child in the	2943
provider's special education program to implement the child's	2944
individualized education program and to which the child's parent	2945
owes fees for the services provided to the child:	2946
(a) A school district that is not the school district in	2947
which the child is entitled to attend school;	2948
(b) A public entity other than a school district.	2949
(2) "Entitled to attend school" means entitled to attend	2950
school in a school district under section 3313.64 or 3313.65 of	2951
the Revised Code.	2952
(3) "Formula ADM" has the same meaning as in section	2953
3317.02 of the Revised Code.	2954
(4) "Preschool child with a disability" and	2955
"individualized education program" have the same meanings as in	2956
section 3323.01 of the Revised Code.	2957
(5) "Parent" has the same meaning as in section 3313.64 of	2958
the Revised Code, except that "parent" does not mean a parent	2959
whose custodial rights have been terminated. "Parent" also	2960
includes the custodian of a qualified special education child,	2961
when a court has granted temporary, legal, or permanent custody	2962
of the child to an individual other than either of the natural	2963
or adoptive parents of the child or to a government agency.	2964
(6) "Qualified special education child" is a child for	2965
whom all of the following conditions apply:	2966

(a) The school district in which the child is entitled to attend school has identified the child as autistic. A child who has been identified as having a "pervasive developmental disorder - not otherwise specified (PPD-NOS)" shall be considered to be an autistic child for purposes of this section.

(b) The school district in which the child is entitled to attend school has developed an individualized education program under Chapter 3323. of the Revised Code for the child.

(c) The child either:

(i) Was enrolled in the school district in which the child is entitled to attend school in any grade from preschool through twelve in the school year prior to the year in which a scholarship under this section is first sought for the child; or

(ii) Is eligible to enter school in any grade preschool through twelve in the school district in which the child is entitled to attend school in the school year in which a scholarship under this section is first sought for the child.

(7) "Registered private provider" means a nonpublic school or other nonpublic entity that has been approved by the department of education and workforce to participate in the program established under this section.

(8) "Special education program" means a school or facility that provides special education and related services to children with disabilities.

(B) There is hereby established the autism scholarship program. Under the program, the department ~~of education~~ shall pay a scholarship under section 3317.022 of the Revised Code to the parent of each qualified special education child upon

application of that parent pursuant to procedures and deadlines 2995  
established by rule of the ~~state board of education~~ department. 2996  
Each scholarship shall be used only to pay tuition for the child 2997  
on whose behalf the scholarship is awarded to attend a special 2998  
education program that implements the child's individualized 2999  
education program and that is operated by an alternative public 3000  
provider or by a registered private provider, and to pay for 3001  
other services agreed to by the provider and the parent of a 3002  
qualified special education child that are not included in the 3003  
individualized education program but are associated with 3004  
educating the child. Upon agreement with the parent of a 3005  
qualified special education child, the alternative public 3006  
provider or the registered private provider may modify the 3007  
services provided to the child. The purpose of the scholarship 3008  
is to permit the parent of a qualified special education child 3009  
the choice to send the child to a special education program, 3010  
instead of the one operated by or for the school district in 3011  
which the child is entitled to attend school, to receive the 3012  
services prescribed in the child's individualized education 3013  
program once the individualized education program is finalized 3014  
and any other services agreed to by the provider and the parent 3015  
of a qualified special education child. The services provided 3016  
under the scholarship shall include an educational component or 3017  
services designed to assist the child to benefit from the 3018  
child's education. 3019

A scholarship under this section shall not be awarded to 3020  
the parent of a child while the child's individualized education 3021  
program is being developed by the school district in which the 3022  
child is entitled to attend school, or while any administrative 3023  
or judicial mediation or proceedings with respect to the content 3024  
of the child's individualized education program are pending. A 3025



scholarship under this section shall not be used for a child to attend a public special education program that operates under a contract, compact, or other bilateral agreement between the school district in which the child is entitled to attend school and another school district or other public provider, or for a child to attend a community school established under Chapter 3314. of the Revised Code. However, nothing in this section or in any rule adopted by the ~~state board~~ department shall prohibit a parent whose child attends a public special education program under a contract, compact, or other bilateral agreement, or a parent whose child attends a community school, from applying for and accepting a scholarship under this section so that the parent may withdraw the child from that program or community school and use the scholarship for the child to attend a special education program for which the parent is required to pay for services for the child.

Except for development of the child's individualized education program, the school district in which a qualified special education child is entitled to attend school and the child's school district of residence, as defined in section 3323.01 of the Revised Code, if different, are not obligated to provide the child with a free appropriate public education under Chapter 3323. of the Revised Code for as long as the child continues to attend the special education program operated by either an alternative public provider or a registered private provider for which a scholarship is awarded under the autism scholarship program. If at any time, the eligible applicant for the child decides no longer to accept scholarship payments and enrolls the child in the special education program of the school district in which the child is entitled to attend school, that district shall provide the child with a free appropriate public

education under Chapter 3323. of the Revised Code. 3057

A child attending a special education program with a 3058  
scholarship under this section shall continue to be entitled to 3059  
transportation to and from that program in the manner prescribed 3060  
by law. 3061

(C) As prescribed in division (A) (2) (h) of section 3317.03 3062  
of the Revised Code, a child who is not a preschool child with a 3063  
disability for whom a scholarship is awarded under this section 3064  
shall be counted in the formula ADM of the district in which the 3065  
child is entitled to attend school and not in the formula ADM of 3066  
any other school district. 3067

(D) A scholarship shall not be paid under section 3317.022 3068  
of the Revised Code to a parent for payment of tuition owed to a 3069  
nonpublic entity unless that entity is a registered private 3070  
provider. The department shall approve entities that meet the 3071  
standards established by rule of the ~~state board~~ department for 3072  
the program established under this section. 3073

(E) The ~~state board~~ department shall adopt rules under 3074  
Chapter 119. of the Revised Code prescribing procedures 3075  
necessary to implement this section, including, but not limited 3076  
to, procedures and deadlines for parents to apply for 3077  
scholarships, standards for registered private providers, and 3078  
procedures for approval of entities as registered private 3079  
providers. 3080

The rules also shall specify that intervention services 3081  
under the autism scholarship program may be provided by a 3082  
qualified, credentialed provider, including, but not limited to, 3083  
all of the following: 3084

(1) A behavior analyst certified by a nationally 3085

recognized organization that certifies behavior analysts;	3086
(2) A psychologist licensed to practice in this state	3087
under Chapter 4732. of the Revised Code;	3088
(3) An independent school psychologist or school	3089
psychologist licensed to practice in this state under Chapter	3090
4732. of the Revised Code;	3091
(4) Any person employed by a licensed psychologist,	3092
licensed independent school psychologist, or licensed school	3093
psychologist, while carrying out specific tasks, under the	3094
licensee's supervision, as an extension of the licensee's legal	3095
and ethical authority as specified under Chapter 4732. of the	3096
Revised Code who is ascribed as "psychology trainee,"	3097
"psychology assistant," "psychology intern," or other	3098
appropriate term that clearly implies their supervised or	3099
training status;	3100
(5) Unlicensed persons holding a doctoral degree in	3101
psychology or special education from a program approved by the-	3102
<del>state board</del> <u>department</u> ;	3103
(6) Any other qualified individual as determined by the-	3104
<del>state board</del> <u>department</u> .	3105
(F) The department shall provide reasonable notice to all	3106
parents of children receiving a scholarship under the autism	3107
scholarship program, alternative public providers, and	3108
registered private providers of any amendment to a rule	3109
governing, or change in the administration of, the autism	3110
scholarship program. "	3111
Delete lines 24274 through 24426	3112
After line 24426, insert:	3113

"Sec. 3313.618. (A) In addition to the curriculum 3114  
requirements specified by the board of education of a school 3115  
district or governing authority of a chartered nonpublic school, 3116  
each student entering ninth grade for the first time on or after 3117  
July 1, 2014, but prior to July 1, 2019, shall satisfy at least 3118  
one of the following conditions or the conditions prescribed 3119  
under division (B) of this section in order to qualify for a 3120  
high school diploma: 3121

(1) Be remediation-free, in accordance with standards 3122  
adopted under division (F) of section 3345.061 of the Revised 3123  
Code, on each of the nationally standardized assessments in 3124  
English, mathematics, and reading; 3125

(2) Attain a score specified under division (B) (5) (c) of 3126  
section 3301.0712 of the Revised Code on the end-of-course 3127  
examinations prescribed under division (B) of section 3301.0712 3128  
of the Revised Code. 3129

(3) Attain a score that demonstrates workforce readiness 3130  
and employability on a nationally recognized job skills 3131  
assessment selected by the ~~state board~~ department of education 3132  
and workforce under division ~~(C)~~ (F) of section 3301.0712 of the 3133  
Revised Code and obtain either an industry-recognized credential 3134  
or a license issued by a state agency or board for practice in a 3135  
vocation that requires an examination for issuance of that 3136  
license. 3137

For the purposes of this division, the industry-recognized 3138  
credentials and licenses shall be as approved under section 3139  
3313.6113 of the Revised Code. 3140

A student may choose to qualify for a high school diploma 3141  
by satisfying any of the separate requirements prescribed by 3142

divisions (A) (1) to (3) of this section. If the student's school 3143  
district or school does not administer the examination 3144  
prescribed by one of those divisions that the student chooses to 3145  
take to satisfy the requirements of this section, the school 3146  
district or school may require that student to arrange for the 3147  
applicable scores to be sent directly to the district or school 3148  
by the company or organization that administers the examination. 3149

(B) In addition to the curriculum requirements specified 3150  
by the district board or school governing authority, each 3151  
student entering ninth grade for the first time on or after July 3152  
1, 2019, shall satisfy the following conditions in order to 3153  
qualify for a high school diploma: 3154

(1) Attain a competency score as determined under division 3155  
(B) (10) of section 3301.0712 of the Revised Code on each of the 3156  
Algebra I and English language arts II end-of-course 3157  
examinations prescribed under division (B) (2) of section 3158  
3301.0712 of the Revised Code. 3159

School districts and chartered nonpublic schools shall 3160  
offer remedial support to any student who fails to attain a 3161  
competency score on one or both of the Algebra I and English 3162  
language arts II end-of-course examinations. 3163

Following the first administration of the exam, if a 3164  
student fails to attain a competency score on one or both of the 3165  
Algebra I and English language arts II end-of-course 3166  
examinations that student must retake the respective examination 3167  
at least once. 3168

If a student fails to attain a competency score on a 3169  
retake examination, the student may demonstrate competency in 3170  
the failed subject area through one of the following options: 3171

(a) Earn course credit taken through the college credit	3172
plus program established under Chapter 3365. of the Revised Code	3173
in the failed subject area;	3174
(b) Complete two of the following options, one of which	3175
must be foundational:	3176
(i) Foundational options to demonstrate competency, which	3177
include earning a cumulative score of proficient or higher on	3178
three or more state technical assessments aligned with section	3179
3313.903 of the Revised Code in a single career pathway,	3180
obtaining an industry-recognized credential, or group of	3181
credentials, approved under section 3313.6113 of the Revised	3182
Code that is at least equal to the total number of points	3183
established under that section to qualify for a high school	3184
diploma, obtaining a license approved under section 3313.6113 of	3185
the Revised Code that is issued by a state agency or board for	3186
practice in a vocation that requires an examination for issuance	3187
of that license, completing a pre-apprenticeship aligned with	3188
options established under section 3313.904 of the Revised Code	3189
in the student's chosen career field, completing an	3190
apprenticeship registered with the apprenticeship council	3191
established under section 4139.02 of the Revised Code in the	3192
student's chosen career field, or providing evidence of	3193
acceptance into an apprenticeship program after high school that	3194
is restricted to participants eighteen years of age or older;	3195
(ii) Supporting options to demonstrate competency, which	3196
include completing two hundred fifty hours of a work-based	3197
learning experience with evidence of positive evaluations,	3198
obtaining an OhioMeansJobs-readiness seal under section	3199
3313.6112 of the Revised Code, or attaining a workforce	3200
readiness score, as determined by the department <del>of education,</del>	3201

on the nationally recognized job skills assessment selected by 3202  
the ~~state board~~ department under division ~~(G)~~ (F) of section 3203  
3301.0712 of the Revised Code. 3204

(c) Provide evidence that the student has enlisted in a 3205  
branch of the armed services of the United States as defined in 3206  
section 5910.01 of the Revised Code. 3207

(d) Be remediation-free, in accordance with standards 3208  
adopted under division (F) of section 3345.061 of the Revised 3209  
Code, in the failed subject area on a nationally standardized 3210  
assessment prescribed under division (B) (1) of section 3301.0712 3211  
of the Revised Code. For English language arts II, a student 3212  
must be remediation-free in the subjects of English and reading 3213  
on the nationally standardized assessment. 3214

Subject to division (L) (2) of section 3313.61 of the 3215  
Revised Code, for any students receiving special education and 3216  
related services under Chapter 3323. of the Revised Code, the 3217  
individualized education program developed for the student under 3218  
that chapter shall specify the manner in which the student will 3219  
participate in the assessments administered under this division 3220  
or an alternate assessment in accordance with division (C) (1) of 3221  
section 3301.0711 of the Revised Code. 3222

(2) Earn at least two of the state diploma seals 3223  
prescribed under division (A) of section 3313.6114 of the 3224  
Revised Code, at least one of which shall be any of the 3225  
following: 3226

(a) The state seal of biliteracy established under section 3227  
3313.6111 of the Revised Code; 3228

(b) The OhioMeansJobs-readiness seal established under 3229  
section 3313.6112 of the Revised Code; 3230

(c) One of the state diploma seals established under 3231  
divisions (C) (1) to (7) of section 3313.6114 of the Revised 3232  
Code. 3233

(C) (1) A student who transfers into an Ohio public or 3234  
chartered nonpublic high school from another state or enrolls in 3235  
such a high school after receiving home ~~instruction~~ education or 3236  
attending a nonchartered, nontax-supported school in the 3237  
previous school year shall meet the requirements of division (B) 3238  
or (D) of this section, as applicable, in order to qualify for a 3239  
high school diploma. However, any student subject to division 3240  
(B) of this section who transfers or enrolls after the start of 3241  
the student's twelfth grade year and fails to attain a 3242  
competency score on the Algebra I or English language arts II 3243  
end-of-course examination shall not be required to retake the 3244  
applicable examination prior to demonstrating competency in the 3245  
failed subject area under the options prescribed in divisions 3246  
(B) (1) (a) to (d) of this section. 3247

(2) The department shall prescribe standards that allow a 3248  
transfer student who, prior to the student's transfer, took an 3249  
assessment described in division (B) (1) or (2) of section 3250  
3301.0712 or section 3313.619 of the Revised Code to apply the 3251  
score from that assessment towards graduation requirements at 3252  
the student's new public or chartered nonpublic school. 3253

(D) Notwithstanding division (B) of this section, in 3254  
addition to the curriculum requirements specified by the school 3255  
governing authority, a chartered nonpublic school student 3256  
subject to division (L) (3) (a) (ii) of section 3301.0711 of the 3257  
Revised Code entering ninth grade for the first time on or after 3258  
July 1, 2019, shall qualify for a high school diploma if the 3259  
student earns a remediation-free score in the areas of English, 3260



mathematics, and reading, in accordance with standards adopted 3261  
under division (F) of section 3345.061 of the Revised Code, on a 3262  
nationally standardized assessment prescribed under division (B) 3263  
(1) of section 3301.0712 of the Revised Code. No such student 3264  
shall be required to take the Algebra I or English language arts 3265  
II end-of-course examination or earn diploma seals under this 3266  
section. 3267

(E) The ~~state board of education~~ department shall not 3268  
create or require any additional assessment for the granting of 3269  
any type of high school diploma other than as prescribed by this 3270  
section. Except as provided in sections 3313.6111, 3313.6112, 3271  
and 3313.6114 of the Revised Code, the ~~state board~~ department or 3272  
the ~~superintendent of public instruction~~ director of education 3273  
and workforce shall not create any endorsement or designation 3274  
that may be affiliated with a high school diploma." 3275

Delete lines 31638 through 31779 3276

After line 31779, insert: 3277

**"Sec. 3314.05.** (A) The contract between the community 3278  
school and the sponsor shall specify the facilities to be used 3279  
for the community school and the method of acquisition. Except 3280  
as provided in divisions (B) (3) and (4) of this section, no 3281  
community school shall be established in more than one school 3282  
district under the same contract. 3283

(B) Division (B) of this section shall not apply to 3284  
internet- or computer-based community schools. 3285

(1) A community school may be located in multiple 3286  
facilities under the same contract only if the limitations on 3287  
availability of space prohibit serving all the grade levels 3288  
specified in the contract in a single facility or division (B) 3289

(2), (3), or (4) of this section applies to the school. The 3290  
school shall not offer the same grade level classrooms in more 3291  
than one facility. 3292

(2) A community school may be located in multiple 3293  
facilities under the same contract and, notwithstanding division 3294  
(B) (1) of this section, may assign students in the same grade 3295  
level to multiple facilities, as long as all of the following 3296  
apply: 3297

(a) The governing authority has entered into and maintains 3298  
a contract with an operator of the type described in division 3299  
(A) (8) (b) of section 3314.02 of the Revised Code. 3300

(b) The contract with that operator qualified the school 3301  
to be established pursuant to division (A) of former section 3302  
3314.016 of the Revised Code. 3303

(c) The school's rating under section 3302.03 of the 3304  
Revised Code does not fall below a combination of any of the 3305  
following for two or more consecutive years: 3306

(i) A rating of "in need of continuous improvement" under 3307  
section 3302.03 of the Revised Code, as that section existed 3308  
prior to March 22, 2013; 3309

(ii) For the 2012-2013, 2013-2014, 2014-2015, and 2015- 3310  
2016 school years, a rating of "C" for both the performance 3311  
index score under division (A) (1) (b) or (B) (1) (b) and the value- 3312  
added dimension under division (A) (1) (e) or (B) (1) (e) of section 3313  
3302.03 of the Revised Code; or if the building serves only 3314  
grades ten through twelve, the building received a grade of "C" 3315  
for the performance index score under division (A) (1) (b) or (B) 3316  
(1) (b) of section 3302.03 of the Revised Code; 3317

(iii) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021 school years, an overall grade of "C" under division (C) (3) of section 3302.03 of the Revised Code or an overall performance designation of "meets standards" under division (E) (3) (e) of section 3314.017 of the Revised Code;

(iv) For the 2021-2022 school year and any school year thereafter, an overall performance rating of three stars under division (D) (3) of section 3302.03 of the Revised Code or an overall performance designation of "meets standards" under division (E) (3) (e) of section 3314.017 of the Revised Code.

(3) On and after September 30, 2021, a new start-up community school may be established in two school districts under the same contract regardless of the proposed location of either district if both of the following apply:

(a) The school operates not more than one facility in each school district and, in accordance with division (B) (1) of this section, the school does not offer the same grade level classrooms in both facilities; and

(b) Transportation between the two facilities does not require more than thirty minutes of direct travel time as measured by school bus.

(4) A community school may be located in multiple facilities under the same contract and, notwithstanding division (B) (1) of this section, may assign students in the same grade level to multiple facilities, as long as both of the following apply:

(a) The facilities are all located in the same county or in any county adjacent to the county in which the community school's primary facility is located.

(b) Either of the following conditions are satisfied:	3347
(i) The community school is sponsored by a board of	3348
education of a city, local, or exempted village school district	3349
having territory in the same county where the facilities of the	3350
community school are located or in any county adjacent to the	3351
county in which the community school's primary facility is	3352
located;	3353
(ii) The community school is managed by an operator.	3354
In the case of a community school to which division (B) (4)	3355
of this section applies and that maintains facilities in more	3356
than one school district, the school's governing authority shall	3357
designate one of those districts to be considered the school's	3358
primary location and the district in which the school is located	3359
for the purposes of division (A) (19) of section 3314.03 and	3360
divisions (C) and (H) of section 3314.06 of the Revised Code and	3361
for all other purposes of this chapter and shall notify the	3362
department of that designation.	3363
(5) Any facility used for a community school shall meet	3364
all health and safety standards established by law for school	3365
buildings.	3366
(C) In the case where a community school is proposed to be	3367
located in a facility owned by a school district or educational	3368
service center, the facility may not be used for such community	3369
school unless the district or service center board owning the	3370
facility enters into an agreement for the community school to	3371
utilize the facility. Use of the facility may be under any terms	3372
and conditions agreed to by the district or service center board	3373
and the school.	3374
(D) Two or more separate community schools may be located	3375

in the same facility. 3376

(E) In the case of a community school that is located in 3377  
multiple facilities, beginning July 1, 2012, the department 3378  
shall assign a unique identification number to the school and to 3379  
each facility maintained by the school. Each number shall be 3380  
used for identification purposes only. Nothing in this division 3381  
shall be construed to require the department to calculate the 3382  
amount of funds paid under this chapter, or to compute any data 3383  
required for the report cards issued under section 3314.012 of 3384  
the Revised Code, for each facility separately. The department 3385  
shall make all such calculations or computations for the school 3386  
as a whole. 3387

(F) (1) In the case of a community school that exists prior 3388  
to September 30, 2021, to which division (B) (3) of this section 3389  
applies, if only one of the school districts in which the school 3390  
is established was located in a challenged school district prior 3391  
to September 30, 2021, that district continues to be considered 3392  
the school's primary location and the district in which the 3393  
school is located for the purposes of division (A) (19) of 3394  
section 3314.03 and divisions (C) and (H) of section 3314.06 of 3395  
the Revised Code and for all other purposes of this chapter 3396  
unless and until the school's governing authority designates a 3397  
different school district as the school's primary location in 3398  
accordance with division (F) (2) of this section. If both of the 3399  
school districts in which the school is established were 3400  
challenged school districts on that date, and the primary 3401  
location was already designated by the school's governing 3402  
authority pursuant to the requirements of this section as it 3403  
existed prior to ~~the~~ September 30, 2021, that designation 3404  
remains unless and until the school's governing authority 3405  
designates a different primary location. 3406

(2) (a) On and after September 30, 2021, when a new start-up community school is established in two school districts under the same contract, the school's governing authority shall designate one of those districts to be considered the school's primary location and the district in which the school is located for the purposes of division (A) (19) of section 3314.03 and divisions (C) and (H) of section 3314.06 of the Revised Code and for all other purposes of this chapter and shall notify the department of education and workforce of that designation.

(b) A community school governing authority that elects to modify a community school's primary location, whether in accordance with division (F) (1) of this section or otherwise, shall notify the department of that modification. "

Delete lines 34987 through 35424

After line 35424, insert:

**"Sec. 3317.011.** This section shall apply only for fiscal years 2022 and 2023.

(A) As used in this section:

(1) "Average administrative assistant salary" means the average salary of administrative assistants employed by city, local, and exempted village school districts in this state with salaries greater than \$20,000 but less than \$65,000, using fiscal year 2018 data, as determined by the department of education and workforce.

(2) "Average bookkeeping and accounting employee salary" means the average salary of bookkeeping employees and accounting employees employed by city, local, and exempted village school districts in this state with salaries greater than \$20,000 but

less than \$80,000, using fiscal year 2018 data, as determined by	3435
the department.	3436
(3) "Average clerical staff salary" means the average	3437
salary of clerical staff employed by city, local, and exempted	3438
village school districts in this state with salaries greater	3439
than \$15,000 but less than \$50,000, using fiscal year 2018 data,	3440
as determined by the department.	3441
(4) "Average counselor salary" means the average salary of	3442
counselors employed by city, local, and exempted village school	3443
districts in this state with salaries greater than \$30,000 but	3444
less than \$95,000, using fiscal year 2018 data, as determined by	3445
the department.	3446
(5) "Average education management information system	3447
support employee salary" means the average salary of accounting	3448
employees employed by city, local, and exempted village school	3449
districts in this state with salaries greater than \$30,000 but	3450
less than \$90,000, using fiscal year 2018 data, as determined by	3451
the department.	3452
(6) "Average librarian and media staff salary" means the	3453
average salary of librarians and media staff employed by city,	3454
local, and exempted village school districts in this state with	3455
salaries greater than \$30,000 but less than \$95,000, using	3456
fiscal year 2018 data, as determined by the department.	3457
(7) "Average other district administrator salary" means	3458
the average salary of all assistant superintendents and	3459
directors employed by city, local, and exempted village school	3460
districts in this state with salaries greater than \$50,000 but	3461
less than \$135,000, using fiscal year 2018 data, as determined	3462
by the department.	3463

(8) "Average principal salary" means the average salary of	3464
all principals employed by city, local, and exempted village	3465
school districts in this state with salaries greater than	3466
\$50,000 but less than \$120,000, using fiscal year 2018 data, as	3467
determined by the department.	3468
(9) "Average superintendent salary" means the average	3469
salary of all superintendents employed by city, local, and	3470
exempted village school districts in this state with salaries	3471
greater than \$60,000 but less than \$180,000, using fiscal year	3472
2018 data, as determined by the department.	3473
(10) "Average teacher cost" for a fiscal year is equal to	3474
the sum of the following:	3475
(a) The average salary of teachers employed by city,	3476
local, and exempted village school districts in this state with	3477
salaries greater than \$30,000 but less than \$95,000, using	3478
fiscal year 2018 data, as determined by the department;	3479
(b) An amount for teacher benefits equal to 0.16 times the	3480
average salary calculated under division (A) (10) (a) of this	3481
section;	3482
(c) An amount for district-paid insurance costs equal to	3483
the following product:	3484
The statewide weighted average employer-paid monthly premium	3485
based on data reported by city, local, and exempted village	3486
school districts to the state employment relations board for the	3487
health insurance survey conducted in accordance with divisions	3488
(K) (5) and (6) of section 4117.02 of the Revised Code using	3489
fiscal year 2018 data X 12	3490
(11) "Eligible school district" means a city, local, or	3491



exempted village school district that satisfies one of the	3492
following:	3493
(a) The district is a member of an organization that	3494
regulates interscholastic athletics.	3495
(b) The district has teams in at least three different	3496
sports that participate in an interscholastic league.	3497
(B) When calculating a district's aggregate base cost	3498
under this section, the department shall use data from fiscal	3499
year 2018 for all of the following:	3500
(1) The average salaries determined under divisions (A)	3501
(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of this	3502
section;	3503
(2) The amount for teacher benefits determined under	3504
division (A) (10) (b) of this section;	3505
(3) The district-paid insurance costs determined under	3506
division (A) (10) (c) of this section;	3507
(4) The spending determined under divisions (E) (4) (a), (E)	3508
(5) (a), (E) (6) (a), and (H) (1) of this section and the	3509
corresponding student counts determined under divisions (E) (4)	3510
(b), (E) (5) (b), (E) (6) (b), and (H) (2) of this section;	3511
(5) The information determined under division (G) (3) of	3512
this section.	3513
(C) A city, local, or exempted village school district's	3514
aggregate base cost for a fiscal year shall be equal to the	3515
following sum:	3516
(The district's teacher base cost for that fiscal year computed	3517
under division (D) of this section) + (the district's student	3518

support base cost for that fiscal year computed under division	3519
(E) of this section) + (the district's leadership and	3520
accountability base cost for that fiscal year computed under	3521
division (F) of this section) + (the district's building	3522
leadership and operations base cost for that fiscal year	3523
computed under division (G) of this section) + (the athletic co-	3524
curricular activities base cost for that fiscal year computed	3525
under division (H) of this section, if the district is an	3526
eligible school district)	3527
(D) The department <del>of education</del> shall compute a district's	3528
teacher base cost for a fiscal year as follows:	3529
(1) Calculate the district's classroom teacher cost for	3530
that fiscal year as follows:	3531
(a) Determine the full-time equivalency of students in the	3532
district's base cost enrolled ADM for that fiscal year that are	3533
enrolled in kindergarten and divide that number by 20;	3534
(b) Determine the full-time equivalency of students in the	3535
district's base cost enrolled ADM for that fiscal year that are	3536
enrolled in grades one through three and divide that number by	3537
23;	3538
(c) Determine the full-time equivalency of students in the	3539
district's base cost enrolled ADM for that fiscal year that are	3540
enrolled in grades four through eight but are not enrolled in a	3541
career-technical education program or class described under	3542
section 3317.014 of the Revised Code and divide that number by	3543
25;	3544
(d) Determine the full-time equivalency of students in the	3545
district's base cost enrolled ADM for that fiscal year that are	3546
enrolled in grades nine through twelve but are not enrolled in a	3547

career-technical education program or class described under	3548
section 3317.014 of the Revised Code and divide that number by	3549
27;	3550
(e) Determine the full-time equivalency of students in the	3551
district's base cost enrolled ADM for that fiscal year that are	3552
enrolled in a career-technical education program or class, as	3553
certified under divisions (B) (11), (12), (13), (14), and (15) of	3554
section 3317.03 of the Revised Code, and divide that number by	3555
18;	3556
(f) Compute the sum of the quotients obtained under	3557
divisions (D) (1) (a), (b), (c), (d), and (e) of this section;	3558
(g) Compute the classroom teacher cost by multiplying the	3559
average teacher cost for that fiscal year by the sum computed	3560
under division (D) (1) (f) of this section.	3561
(2) Calculate the district's special teacher cost for that	3562
fiscal year as follows:	3563
(a) Divide the district's base cost enrolled ADM for that	3564
fiscal year by 150;	3565
(b) If the quotient obtained under division (D) (2) (a) of	3566
this section is greater than 6, the special teacher cost shall	3567
be equal to that quotient multiplied by the average teacher cost	3568
for that fiscal year.	3569
(c) If the quotient obtained under division (D) (2) (a) of	3570
this section is less than or equal to 6, the special teacher	3571
cost shall be equal to 6 multiplied by the average teacher cost	3572
for that fiscal year.	3573
(3) Calculate the district's substitute teacher cost for	3574
that fiscal year in accordance with the following formula:	3575

(a) Compute the substitute teacher daily rate with	3576
benefits by multiplying the substitute teacher daily rate of \$90	3577
by 1.16;	3578
(b) Compute the substitute teacher cost in accordance with	3579
the following formula:	3580
[The sum computed under division (D) (1) (f) of this section +	3581
(the greater of the quotient obtained under division (D) (2) (a)	3582
of this section and 6)] X the amount computed under division (D)	3583
(3) (a) of this section X 5	3584
(4) Calculate the district's professional development cost	3585
for that fiscal year in accordance with the following formula:	3586
[The sum computed under division (D) (1) (f) of this section +	3587
(the greater of the quotient obtained under division (D) (2) (a)	3588
of this section and 6)] X [(the sum of divisions (A) (10) (a) and	3589
(b) of this section for that fiscal year)/180] X 4	3590
(5) Calculate the district's teacher base cost for that	3591
fiscal year, which equals the sum of divisions (D) (1), (2), (3),	3592
and (4) of this section.	3593
(E) The department shall compute a district's student	3594
support base cost for a fiscal year as follows:	3595
(1) Calculate the district's guidance counselor cost for	3596
that fiscal year as follows:	3597
(a) Determine the number of students in the district's	3598
base cost enrolled ADM for that fiscal year that are enrolled in	3599
grades nine through twelve and divide that number by 360;	3600
(b) Compute the counselor cost in accordance with the	3601
following formula:	3602

(The greater of the quotient obtained under division (E) (1) (a)	3603
of this section and 1) X [(the average counselor salary for that	3604
fiscal year X 1.16) + the amount specified under division (A)	3605
(10) (c) of this section for that fiscal year]	3606
(2) Calculate the district's librarian and media staff	3607
cost for that fiscal year as follows:	3608
(a) Divide the district's base cost enrolled ADM for that	3609
fiscal year by 1,000;	3610
(b) Compute the librarian and media staff cost in	3611
accordance with the following formula:	3612
The quotient obtained under division (E) (2) (a) of this section X	3613
[(the average librarian and media staff salary for that fiscal	3614
year X 1.16) + the amount specified under division (A) (10) (c) of	3615
this section for that fiscal year]	3616
(3) Calculate the district's staffing cost for student	3617
wellness and success for that fiscal year as follows:	3618
(a) Divide the district's base cost enrolled ADM for that	3619
fiscal year by 250;	3620
(b) Compute the staffing cost for student wellness and	3621
success in accordance with the following formula:	3622
(The greater of the quotient obtained under division (E) (3) (a)	3623
of this section and 5) X [(the average counselor salary for that	3624
fiscal year X 1.16) + the amount specified under division (A)	3625
(10) (c) of this section for that fiscal year]	3626
(4) Calculate the district's academic co-curricular	3627
activities cost for that fiscal year as follows:	3628
(a) Determine the total amount of spending for academic	3629



(6) Calculate the district's supplies and academic content cost for that fiscal year as follows:	3658 3659
(a) Determine the total amount of spending for supplies and academic content, excluding supplies for transportation and maintenance, reported by city, local, and exempted village school districts to the department using fiscal year 2018 data;	3660 3661 3662 3663
(b) Determine the sum of the enrolled ADM of every school district in the state using fiscal year 2018 data as specified under division (E) (6) (a) of this section;	3664 3665 3666
(c) Compute the supplies and academic content cost in accordance with the following formula:	3667 3668
(The amount determined under division (E) (6) (a) of this section / the sum determined under division (E) (6) (b) of this section) X the district's base cost enrolled ADM for the fiscal year for which the supplies and academic content cost is computed	3669 3670 3671 3672 3673
(7) Calculate the district's technology cost for that fiscal year in accordance with the following formula:	3674 3675
\$37.50 X the district's base cost enrolled ADM for that fiscal year	3676 3677
(8) Calculate the district's student support base cost for that fiscal year, which equals the sum of divisions (E) (1), (2), (3), (4), (5), (6), and (7) of this section.	3678 3679 3680
(F) The department shall compute a district's leadership and accountability base cost for a fiscal year as follows:	3681 3682
(1) Calculate the district's superintendent cost for that fiscal year as follows:	3683 3684

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's superintendent cost shall be equal to [(\$160,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year].

(b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's superintendent cost shall be equal to the sum of the following:

(i) (The district's base cost enrolled ADM for that fiscal year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500};

(ii) (\$80,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year.

(c) If the district's base cost enrolled ADM is less than 500, then the district's superintendent cost shall be equal to [(\$80,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year].

(2) Calculate the district's treasurer cost for that fiscal year as follows:

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's treasurer cost shall be equal to [(\$130,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year].

(b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's treasurer cost shall be equal to the sum of the following:

(i) (The district's base cost enrolled ADM for that fiscal



year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3713

(ii) (\$60,000 X 1.16) + the amount specified under 3714  
division (A) (10) (c) of this section for that fiscal year. 3715

(c) If the district's base cost enrolled ADM is less than 3716  
500, then the district's treasurer cost shall be equal to 3717  
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 3718  
(c) of this section for that fiscal year]. 3719

(3) Calculate the district's other district administrator 3720  
cost for that fiscal year as follows: 3721

(a) Divide the average other district administrator salary 3722  
for that fiscal year by the average superintendent salary for 3723  
that fiscal year; 3724

(b) Divide the district's base cost enrolled ADM for that 3725  
fiscal year by 750; 3726

(c) Compute the other district administrator cost in 3727  
accordance with the following formula: 3728

{[(The district's superintendent cost for that fiscal year 3729  
calculated under division (F) (1) of this section - the amount 3730  
specified under division (A) (10) (c) of this section for that 3731  
fiscal year) X the quotient obtained under division (F) (3) (a) of 3732  
this section] + the amount specified under division (A) (10) (c) 3733  
of this section} X (the greater of the quotient obtained under 3734  
division (F) (3) (b) of this section and 2) 3735

(4) Calculate the district's fiscal support cost for that 3736  
fiscal year as follows: 3737

(a) Divide the district's base cost enrolled ADM for that 3738  
fiscal year by 850; 3739

(b) Determine the lesser of the following:	3740
(i) The maximum of the quotient obtained under division	3741
(F) (4) (a) of this section and 2;	3742
(ii) 35.	3743
(c) Compute the fiscal support cost in accordance with the	3744
following formula:	3745
The number obtained under division (F) (4) (b) of this section X	3746
[(the average bookkeeping and accounting employee salary for	3747
that fiscal year X 1.16) + the amount specified under division	3748
(A) (10) (c) of this section for that fiscal year]	3749
(5) Calculate the district's education management	3750
information system support cost for that fiscal year as follows:	3751
(a) Divide the district's base cost enrolled ADM for that	3752
fiscal year by 5,000;	3753
(b) Compute the education management information system	3754
support cost in accordance with the following formula:	3755
(The greater of the quotient obtained under division (F) (5) (a)	3756
of this section and 1) X [(the average education management	3757
information system support employee salary for that fiscal year	3758
X 1.16) + the amount specified under division (A) (10) (c) of this	3759
section for that fiscal year]	3760
(6) Calculate the district's leadership support cost for	3761
that fiscal year as follows:	3762
(a) Determine the greater of the quotient obtained under	3763
division (F) (3) (b) of this section and 2, and add 1 to that	3764
number;	3765
(b) Divide the number obtained under division (F) (6) (a) of	3766

this section by 3; 3767

(c) Compute the leadership support cost in accordance with 3768  
the following formula: 3769

(The greater of the quotient obtained under division (F) (6) (b) 3770  
of this section and 1) X [(the average administrative assistant 3771  
salary for that fiscal year X 1.16) + the amount specified under 3772  
division (A) (10) (c) of this section for that fiscal year] 3773

(7) Calculate the district's information technology center 3774  
support cost for that fiscal year in accordance with the 3775  
following formula: 3776

\$31 X the district's base cost enrolled ADM for that fiscal year 3777

(8) Calculate the district's district leadership and 3778  
accountability base cost for that fiscal year, which equals the 3779  
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 3780  
this section. 3781

(G) The department shall compute a district's building 3782  
leadership and operations base cost for a fiscal year as 3783  
follows: 3784

(1) Calculate the district's building leadership cost for 3785  
that fiscal year as follows: 3786

(a) Divide the average principal salary for that fiscal 3787  
year by the average superintendent salary for that fiscal year; 3788

(b) Divide the district's base cost enrolled ADM for that 3789  
fiscal year by 450; 3790

(c) Compute the building leadership cost in accordance 3791  
with the following formula: 3792

{[(The district's superintendent cost for that fiscal year 3793

calculated under division (F) (1) of this section - the amount	3794
specified under division (A) (10) (c) of this section for that	3795
fiscal year) X the quotient obtained under division (G) (1) (a) of	3796
this section] + the amount specified under division (A) (10) (c)	3797
of this section for that fiscal year} X the quotient obtained	3798
under division (G) (1) (b) of this section	3799
(2) Calculate the district's building leadership support	3800
cost for that fiscal year as follows:	3801
(a) Divide the district's base cost enrolled ADM for that	3802
fiscal year by 400;	3803
(b) Determine the number of school buildings in the	3804
district for that fiscal year;	3805
(c) Compute the building leadership support cost in	3806
accordance with the following formula:	3807
(i) If the quotient obtained under division (G) (2) (a) of	3808
this section is less than the number obtained under division (G)	3809
(2) (b) of this section, then the district's building leadership	3810
support cost shall be equal to {the number obtained under	3811
division (G) (2) (b) of this section for that fiscal year X [(the	3812
average clerical staff salary for that fiscal year X 1.16) + the	3813
amount specified under division (A) (10) (c) of this section for	3814
that fiscal year]}.	3815
(ii) If the quotient obtained under division (G) (2) (a) of	3816
this section is greater than or equal to the number obtained	3817
under division (G) (2) (b) of this section, then the district's	3818
building leadership support cost shall be equal to {[the lesser	3819
of (the number obtained under division (G) (2) (b) of this section	3820
X 3) and the quotient obtained under division (G) (2) (a) of this	3821
section] X [(the average clerical staff salary for that fiscal	3822

year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]}.}	3823 3824
(3) Calculate the district's building operations cost for that fiscal year as follows:	3825 3826
(a) Using data for the six most recent fiscal years for which data is available, determine both of the following:	3827 3828
(i) The six-year average of the average building square feet per pupil for all city, local, and exempted village school district buildings in the state;	3829 3830 3831
(ii) The six-year average cost per square foot for all city, local, and exempted village school district buildings in the state.	3832 3833 3834
(b) Compute the building operations cost in accordance with the following formula:	3835 3836
The district's base cost enrolled ADM for that fiscal year X [(the number determined under division (G) (3) (a) (i) of this section X the number determined under division (G) (3) (a) (ii) of this section) - (the amount determined under division (E) (5) (a) of this section for that fiscal year/ the sum determined under division (E) (5) (b) of this section for that fiscal year)]	3837 3838 3839 3840 3841 3842
(4) Calculate the district's building leadership and operations base cost for that fiscal year, which equals the sum of divisions (G) (1), (2), and (3) of this section.	3843 3844 3845
(H) If a district is an eligible school district, the department shall compute the district's athletic co-curricular activities base cost for a fiscal year as follows:	3846 3847 3848
(1) Determine the total amount of spending for athletic co-curricular activities reported by city, local, and exempted	3849 3850

village school districts to the department for that fiscal year;	3851
(2) Determine the sum of the enrolled ADM of every school district in the state for that fiscal year;	3852
	3853
(3) Compute the district's athletic co-curricular activities base cost in accordance with the following formula:	3854
	3855
(The amount determined under division (H) (1) of this section / the sum determined under division (H) (2) of this section) X the district's base cost enrolled ADM for the fiscal year for which the funds for athletic co-curricular activities are computed "	3856
	3857
	3858
	3859
Delete lines 38111 through 38362	3860
After line 38362, insert:	3861
<b>"Sec. 3317.0212.</b> (A) As used in this section:	3862
(1) For fiscal years 2022 and 2023, "assigned bus" means a school bus used to transport qualifying riders.	3863
	3864
(2) For fiscal years 2022 and 2023, "density" means the total riders per square mile of a school district.	3865
	3866
(3) For fiscal years 2022 and 2023, "nontraditional ridership" means the average number of qualifying riders who are enrolled in a community school established under Chapter 3314. of the Revised Code, in a STEM school established under Chapter 3326. of the Revised Code, or in a nonpublic school and are provided school bus service by a school district during the first full week of October.	3867
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(4) "Qualifying riders" means the following:	3874
(a) For fiscal years 2022 and 2023, resident students enrolled in preschool and regular education in grades kindergarten to twelve who are provided school bus service by a	3875
	3876
	3877

school district, including students with dual enrollment in a	3878
joint vocational school district or a cooperative education	3879
school district, and students enrolled in a community school,	3880
STEM school, or nonpublic school;	3881
(b) For fiscal year 2024 and each fiscal year thereafter,	3882
students specified by the general assembly.	3883
(5) "Qualifying ridership" means the following:	3884
(a) For fiscal years 2022 and 2023, the greater of the	3885
average number of qualifying riders counted in the morning or	3886
counted in the afternoon who are provided school bus service by	3887
a school district during the first full week of October;	3888
(b) For fiscal year 2024 and each fiscal year thereafter,	3889
a ridership determined in a manner specified by the general	3890
assembly.	3891
(6) "Rider density" means the following:	3892
(a) For fiscal years 2022 and 2023, the following	3893
quotient:	3894
A school district's total number of qualifying riders/ the	3895
number of square miles in the district	3896
(b) For fiscal year 2024 and each fiscal year thereafter,	3897
a number calculated in a manner determined by the general	3898
assembly.	3899
(7) For fiscal years 2022 and 2023, "riders" means	3900
students enrolled in regular and special education in grades	3901
kindergarten through twelve who are provided school bus service	3902
by a school district, including students with dual enrollment in	3903
a joint vocational school district or a cooperative education	3904
school district, and students enrolled in a community school,	3905

STEM school, or nonpublic school. 3906

(8) "School bus service" means a school district's 3907  
transportation of qualifying riders in any of the following 3908  
types of vehicles: 3909

(a) School buses owned or leased by the district; 3910

(b) School buses operated by a private contractor hired by 3911  
the district; 3912

(c) School buses operated by another school district or 3913  
entity with which the district has contracted, either as part of 3914  
a consortium for the provision of transportation or otherwise. 3915

(B) Not later than the first day of November, for fiscal 3916  
years 2022 and 2023, or a date determined by the general 3917  
assembly, for fiscal year 2024 and each fiscal year thereafter, 3918  
of each year, each city, local, and exempted village school 3919  
district shall report to the department of education and 3920  
workforce its qualifying ridership and any other information 3921  
requested by the department. Subsequent adjustments to the 3922  
reported numbers shall be made only in accordance with rules 3923  
adopted by the department. 3924

(C) The department shall calculate the statewide 3925  
transportation cost per student as follows: 3926

(1) Determine each city, local, and exempted village 3927  
school district's transportation cost per student by dividing 3928  
the district's total costs for school bus service in the 3929  
previous fiscal year by its qualifying ridership in the previous 3930  
fiscal year. 3931

(2) After excluding districts that do not provide school 3932  
bus service and the ten districts with the highest 3933



transportation costs per student and the ten districts with the 3934  
lowest transportation costs per student, divide the aggregate 3935  
cost for school bus service for the remaining districts in the 3936  
previous fiscal year by the aggregate qualifying ridership of 3937  
those districts in the previous fiscal year. 3938

(D) The department shall calculate the statewide 3939  
transportation cost per mile as follows: 3940

(1) Determine each city, local, and exempted village 3941  
school district's transportation cost per mile by dividing the 3942  
district's total costs for school bus service in the previous 3943  
fiscal year by its total number of miles driven for school bus 3944  
service in the previous fiscal year. 3945

(2) After excluding districts that do not provide school 3946  
bus service and the ten districts with the highest 3947  
transportation costs per mile and the ten districts with the 3948  
lowest transportation costs per mile, divide the aggregate cost 3949  
for school bus service for the remaining districts in the 3950  
previous fiscal year by the aggregate miles driven for school 3951  
bus service in those districts in the previous fiscal year. 3952

(E) The department shall calculate each city, local, and 3953  
exempted village school district's transportation base payment 3954  
as follows: 3955

(1) For fiscal years 2022 and 2023: 3956

(a) Calculate the sum of the following: 3957

(i) The product of the statewide transportation cost per 3958  
student and the number of students counted in the district's 3959  
qualifying ridership for the current fiscal year who are 3960  
enrolled in the district; 3961

(ii) 1.5 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in community schools established under Chapter 3314. of the Revised Code or STEM schools established under Chapter 3326. of the Revised Code;	3962 3963 3964 3965 3966 3967
(iii) 2.0 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in nonpublic schools.	3968 3969 3970 3971
(b) Calculate the sum of the following:	3972
(i) The product of the statewide transportation cost per mile and the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in the district;	3973 3974 3975 3976
(ii) 1.5 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in community schools or STEM schools;	3977 3978 3979 3980
(iii) 2.0 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in nonpublic schools.	3981 3982 3983 3984
(c) Multiply the greater of the amounts calculated under divisions (E) (1) (a) and (b) of this section by the following:	3985 3986
(i) For fiscal year 2022, the greater of twenty-nine and one-sixth per cent or the district's state share percentage, as defined in section 3317.02 of the Revised Code;	3987 3988 3989

(ii) For fiscal year 2023, the greater of thirty-three and one-third per cent or the district's state share percentage. 3990  
3991

(2) For fiscal year 2024 and each fiscal year thereafter, an amount determined by the general assembly. 3992  
3993

(F) For fiscal years 2022 and 2023, the department shall pay a district's efficiency adjustment payment in accordance with divisions (F)(1) to (3) of this section. For fiscal year 2024 and each fiscal year thereafter, the department shall pay a district's efficiency adjustment payment in a manner determined by the general assembly, if the general assembly authorizes such a payment to districts. 3994  
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(1) The department annually shall establish a target number of qualifying riders per assigned bus for each city, local, and exempted village school district. The department shall use the most recently available data in establishing the target number. The target number shall be based on the statewide median number of riders per assigned bus as adjusted to reflect the district's density in comparison to the density of all other districts. The department shall post on the department's web site each district's target number of riders per assigned bus and a description of how the target number was determined. 4001  
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(2) The department shall determine each school district's efficiency index by dividing the district's number of riders per assigned bus by its target number of riders per assigned bus. 4011  
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4013

(3) The department shall determine each city, local, and exempted village school district's efficiency adjustment payment as follows: 4014  
4015  
4016

(a) If the district's efficiency index is equal to or greater than 1.5, the efficiency adjustment payment shall be 4017  
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calculated according to the following formula: 4019

0.15 X the district's transportation base payment calculated 4020  
under division (E) of this section 4021

(b) If the district's efficiency index is less than 1.5 4022  
but greater than or equal to 1.0, the efficiency adjustment 4023  
payment shall be calculated according to the following formula: 4024

{[(The district's efficiency index - 1) X 0.15]/0.5} X the 4025  
district's transportation base payment calculated under division 4026  
(E) of this section 4027

(c) If the district's efficiency index is less than 1.0, 4028  
the efficiency adjustment payment shall be zero. 4029

(G) In addition to funds paid under divisions (E), (F), 4030  
and (H) of this section, each city, local, and exempted village 4031  
district shall receive in accordance with rules adopted by the 4032  
~~state board of education department~~ a payment for students 4033  
transported by means other than school bus service and whose 4034  
transportation is not funded under division (C) of section 4035  
3317.024 of the Revised Code. The rules shall include provisions 4036  
for school district reporting of such students. 4037

(H) (1) For purposes of division (H) of this section, a 4038  
school district's "transportation supplement percentage" means 4039  
the following: 4040

(a) For fiscal years 2022 and 2023, the following 4041  
quotient: 4042

(28 - the district's rider density) / 100 4043

If the result of the calculation for a district under 4044  
division (H) (1) (a) of this section is less than zero, the 4045  
district's transportation supplement percentage shall be zero. 4046

(b) For fiscal year 2024 and each fiscal year thereafter, 4047  
a percentage calculated in a manner determined by the general 4048  
assembly. 4049

(2) The department shall pay each district a 4050  
transportation supplement calculated according to the following 4051  
formula: 4052

The district's transportation supplement percentage X the amount 4053  
calculated for the district under division (E) (1) (b) of this 4054  
section X 0.55 4055

(I) (1) If a school district board and a community school 4056  
governing authority elect to enter into an agreement under 4057  
division (A) of section 3314.091 of the Revised Code, the 4058  
department shall make payments to the community school according 4059  
to the terms of the agreement for each student actually 4060  
transported under division (C) (1) of that section. If a 4061  
community school governing authority accepts transportation 4062  
responsibility under division (B) of that section, the 4063  
department shall make payments to the community school for each 4064  
student actually transported or for whom transportation is 4065  
arranged by the community school under division (C) (1) of that 4066  
section, calculated as follows: 4067

(a) For any fiscal year which the general assembly has 4068  
specified that transportation payments to school districts be 4069  
based on an across-the-board percentage of the district's 4070  
payment for the previous school year, the per pupil payment to 4071  
the community school shall be the following quotient: 4072

(i) The total amount calculated for the school district in 4073  
which the child is entitled to attend school for student 4074  
transportation other than transportation of children with 4075

disabilities; divided by 4076

(ii) The number of students included in the district's 4077  
transportation ADM for the current fiscal year, as calculated 4078  
under section 3317.03 of the Revised Code, plus the number of 4079  
students enrolled in the community school not counted in the 4080  
district's transportation ADM who are transported under division 4081  
(B) (1) or (2) of section 3314.091 of the Revised Code. 4082

(b) For any fiscal year which the general assembly has 4083  
specified that the transportation payments to school districts 4084  
be calculated in accordance with this section and any rules of 4085  
the ~~state board of education department~~ implementing this 4086  
section, the payment to the community school shall be the 4087  
following: 4088

(i) For fiscal years 2022 and 2023, either of the 4089  
following: 4090

(I) If the school district in which the student is 4091  
entitled to attend school would have used a method of 4092  
transportation for the student for which payments are computed 4093  
and paid under division (E) of this section, 1.0 times the 4094  
statewide transportation cost per student, as calculated in 4095  
division (C) of this section; 4096

(II) If the school district in which the student is 4097  
entitled to attend school would have used a method of 4098  
transportation for the student for which payments are computed 4099  
and paid in a manner described in division (G) of this section, 4100  
the amount that would otherwise be computed for and paid to the 4101  
district. 4102

(ii) For fiscal year 2024 and each fiscal year thereafter, 4103  
an amount calculated in a manner determined by the general 4104

assembly. 4105

The community school, however, is not required to use the 4106  
same method to transport the student. 4107

As used in this division, "entitled to attend school" 4108  
means entitled to attend school under section 3313.64 or 3313.65 4109  
of the Revised Code. 4110

(2) A community school shall be paid under division (I) (2) 4111  
of this section only for students who are eligible as specified 4112  
in section 3327.01 of the Revised Code and division (C) (1) of 4113  
section 3314.091 of the Revised Code, and whose transportation 4114  
to and from school is actually provided, who actually utilized 4115  
transportation arranged, or for whom a payment in lieu of 4116  
transportation is made by the community school's governing 4117  
authority. To qualify for the payments, the community school 4118  
shall report to the department, in the form and manner required 4119  
by the department, data on the number of students transported or 4120  
whose transportation is arranged, the number of miles traveled, 4121  
cost to transport, and any other information requested by the 4122  
department. " 4123

Delete lines 42287 through 42344 4124

After line 42344, insert: 4125

**"Sec. 3319.073.** (A) The board of education of each city 4126  
and exempted village school district and the governing board of 4127  
each educational service center shall adopt or adapt the 4128  
curriculum developed by the department of education and 4129  
workforce for, or shall develop in consultation with public or 4130  
private agencies or persons involved in child abuse prevention 4131  
or intervention programs, a program of in-service training in 4132  
the prevention of child abuse, violence, and substance abuse and 4133

the promotion of positive youth development. Each person 4134  
employed by any school district or service center to work in a 4135  
school as a nurse, teacher, counselor, school psychologist, or 4136  
administrator shall complete at least four hours of the in- 4137  
service training within two years of commencing employment with 4138  
the district or center, and every five years thereafter. A 4139  
person who is employed by any school district or service center 4140  
to work in an elementary school as a nurse, teacher, counselor, 4141  
school psychologist, or administrator on March 30, 2007, shall 4142  
complete at least four hours of the in-service training not 4143  
later than March 30, 2009, and every five years thereafter. A 4144  
person who is employed by any school district or service center 4145  
to work in a middle or high school as a nurse, teacher, 4146  
counselor, school psychologist, or administrator on October 16, 4147  
2009, shall complete at least four hours of the in-service 4148  
training not later than October 16, 2011, and every five years 4149  
thereafter. 4150

(B) Each board shall incorporate training in school safety 4151  
and violence prevention, including human trafficking content, 4152  
into the in-service training required by division (A) of this 4153  
section. For this purpose, the board shall adopt or adapt the 4154  
curriculum developed by the department or shall develop its own 4155  
curriculum in consultation with public or private agencies or 4156  
persons involved in school safety and violence prevention 4157  
programs. 4158

(C) Each board shall incorporate training on the board's 4159  
harassment, intimidation, or bullying policy adopted under 4160  
section 3313.666 of the Revised Code into the in-service 4161  
training required by division (A) of this section. Each board 4162  
also shall incorporate training in the prevention of dating 4163  
violence into the in-service training required by that division 4164



for middle and high school employees. The board shall develop 4165  
its own curricula for these purposes. 4166

(D) Each board shall incorporate training in youth suicide 4167  
awareness and prevention into the in-service training required 4168  
by division (A) of this section for each person employed by a 4169  
school district or service center to work in a school as a 4170  
nurse, teacher, counselor, school psychologist, or 4171  
administrator, and any other personnel that the board determines 4172  
appropriate. The board shall require each such person to undergo 4173  
training in youth suicide awareness and prevention programs once 4174  
every two years. For this purpose, the board shall adopt or 4175  
adapt the curriculum developed by the department under section 4176  
3301.221 of the Revised Code or shall develop its own curriculum 4177  
in consultation with public or private agencies or persons 4178  
involved in youth suicide awareness and prevention programs. 4179

The training completed under this division shall count 4180  
toward the satisfaction of requirements for professional 4181  
development required by the school district or service center 4182  
board, and the training may be accomplished through self-review 4183  
of suitable suicide prevention materials approved by the board. 4184

(E) Each board shall incorporate training on child sexual 4185  
abuse into the in-service training required by division (A) of 4186  
this section. The training completed under this division shall 4187  
count toward the satisfaction of requirements for professional 4188  
development required by the school district or service center 4189  
board. Any training provided under this section shall be 4190  
presented by either of the following who have experience in 4191  
handling cases involving child sexual abuse or child sexual 4192  
violence: 4193

(1) Law enforcement officers; 4194

(2) Prosecutors."	4195
After line 42953, insert:	4196
<b>"Sec. 3319.22.</b> (A) (1) The state board of education shall	4197
issue the following educator licenses:	4198
(a) A resident educator license, which shall be valid for	4199
two years and shall be renewable for reasons specified by rules	4200
adopted by the state board pursuant to division (A) (3) of this	4201
section. The state board, on a case-by-case basis, may extend	4202
the license's duration as necessary to enable the license holder	4203
to complete the Ohio teacher residency program established under	4204
section 3319.223 of the Revised Code;	4205
(b) A professional educator license, which shall be valid	4206
for five years and shall be renewable;	4207
(c) A senior professional educator license, which shall be	4208
valid for five years and shall be renewable;	4209
(d) A lead professional educator license, which shall be	4210
valid for five years and shall be renewable.	4211
Licenses issued under division (A) (1) of this section on	4212
and after November 2, 2018, shall specify whether the educator	4213
is licensed to teach grades pre-kindergarten through five,	4214
grades four through nine, or grades seven through twelve. The	4215
changes to the grade band specifications under this amendment	4216
shall not apply to a person who holds a license under division	4217
(A) (1) of this section prior to November 2, 2018. Further, the	4218
changes to the grade band specifications under this amendment	4219
shall not apply to any license issued to teach in the area of	4220
computer information science, bilingual education, dance, drama	4221
or theater, world language, health, library or media, music,	4222

physical education, teaching English to speakers of other 4223  
languages, career-technical education, or visual arts or to any 4224  
license issued to an intervention specialist, including a gifted 4225  
intervention specialist, or to any other license that does not 4226  
align to the grade band specifications. 4227

(2) (a) Except as provided in division (A) (2) (b) of this 4228  
section, the state board may issue any additional educator 4229  
licenses of categories, types, and levels the board elects to 4230  
provide. 4231

(b) Not later than December 31, 2024, the state board 4232  
shall cease licensing school psychologists. The state board 4233  
shall coordinate with the state board of psychology to 4234  
transition to licensure under Chapter 4732. of the Revised Code 4235  
any school psychologists licensed under rules adopted in 4236  
accordance with sections 3301.07 and 3319.22 of the Revised 4237  
Code. 4238

(3) The state board shall adopt rules establishing the 4239  
standards and requirements for obtaining each educator license 4240  
issued under this section. The rules shall also include the 4241  
reasons for which a resident educator license may be renewed 4242  
under division (A) (1) (a) of this section. 4243

(B) The rules adopted under this section shall require at 4244  
least the following standards and qualifications for the 4245  
educator licenses described in division (A) (1) of this section: 4246

(1) An applicant for a resident educator license shall 4247  
hold at least a bachelor's degree from an accredited teacher 4248  
preparation program or be a participant in the teach for America 4249  
program and meet the qualifications required under section 4250  
3319.227 of the Revised Code. 4251

(2) An applicant for a professional educator license	4252
shall:	4253
(a) Hold at least a bachelor's degree from an institution	4254
of higher education accredited by a regional accrediting	4255
organization;	4256
(b) Have successfully completed the Ohio teacher residency	4257
program established under section 3319.223 of the Revised Code,	4258
if the applicant's current or most recently issued license is a	4259
resident educator license issued under this section or an	4260
alternative resident educator license issued under section	4261
3319.26 of the Revised Code.	4262
(3) An applicant for a senior professional educator	4263
license shall:	4264
(a) Hold at least a master's degree from an institution of	4265
higher education accredited by a regional accrediting	4266
organization;	4267
(b) Have previously held a professional educator license	4268
issued under this section or section 3319.222 or under former	4269
section 3319.22 of the Revised Code;	4270
(c) Meet the criteria for the accomplished or	4271
distinguished level of performance, as described in the	4272
standards for teachers adopted by the state board under section	4273
3319.61 of the Revised Code.	4274
(4) An applicant for a lead professional educator license	4275
shall:	4276
(a) Hold at least a master's degree from an institution of	4277
higher education accredited by a regional accrediting	4278
organization;	4279

(b) Have previously held a professional educator license 4280  
or a senior professional educator license issued under this 4281  
section or a professional educator license issued under section 4282  
3319.222 or former section 3319.22 of the Revised Code; 4283

(c) Meet the criteria for the distinguished level of 4284  
performance, as described in the standards for teachers adopted 4285  
by the state board under section 3319.61 of the Revised Code; 4286

(d) Either hold a valid certificate issued by the national 4287  
board for professional teaching standards or meet the criteria 4288  
for a master teacher or other criteria for a lead teacher 4289  
adopted by the educator standards board under division (F) (4) or 4290  
(5) of section 3319.61 of the Revised Code. 4291

(C) The state board shall align the standards and 4292  
qualifications for obtaining a principal license with the 4293  
standards for principals adopted by the state board under 4294  
section 3319.61 of the Revised Code. 4295

(D) If the state board requires any examinations for 4296  
educator licensure, the ~~department of education state board~~ 4297  
shall provide the results of such examinations received by the 4298  
~~department state board~~ to the chancellor of higher education, in 4299  
the manner and to the extent permitted by state and federal law. 4300

(E) Any rules the state board of education adopts, amends, 4301  
or rescinds for educator licenses under this section, ~~division~~ 4302  
~~(D) of section 3301.07 of the Revised Code,~~ or any other law 4303  
shall be adopted, amended, or rescinded under Chapter 119. of 4304  
the Revised Code except as follows: 4305

(1) Notwithstanding division (E) of section 119.03 and 4306  
division (A) (1) of section 119.04 of the Revised Code, in the 4307  
case of the adoption of any rule or the amendment or rescission 4308

of any rule that necessitates institutions' offering preparation 4309  
programs for educators and other school personnel that are 4310  
approved by the chancellor of higher education under section 4311  
3333.048 of the Revised Code to revise the curriculum of those 4312  
programs, the effective date shall not be as prescribed in 4313  
division (E) of section 119.03 and division (A) (1) of section 4314  
119.04 of the Revised Code. Instead, the effective date of such 4315  
rules, or the amendment or rescission of such rules, shall be 4316  
the date prescribed by section 3333.048 of the Revised Code. 4317

(2) Notwithstanding the authority to adopt, amend, or 4318  
rescind emergency rules in division (G) of section 119.03 of the 4319  
Revised Code, this authority shall not apply to the state board 4320  
of education with regard to rules for educator licenses. 4321

(F) (1) The rules adopted under this section establishing 4322  
standards requiring additional coursework for the renewal of any 4323  
educator license shall require a school district and a chartered 4324  
nonpublic school to establish local professional development 4325  
committees. In a nonpublic school, the chief administrative 4326  
officer shall establish the committees in any manner acceptable 4327  
to such officer. The committees established under this division 4328  
shall determine whether coursework that a district or chartered 4329  
nonpublic school teacher proposes to complete meets the 4330  
requirement of the rules. The ~~department of education state~~ 4331  
board shall provide technical assistance and support to 4332  
committees as the committees incorporate the professional 4333  
development standards adopted ~~by the state board of education~~ 4334  
pursuant to section 3319.61 of the Revised Code into their 4335  
review of coursework that is appropriate for license renewal. 4336  
The rules shall establish a procedure by which a teacher may 4337  
appeal the decision of a local professional development 4338  
committee. 4339

(2) In any school district in which there is no exclusive  
representative established under Chapter 4117. of the Revised  
Code, the professional development committees shall be  
established as described in division (F)(2) of this section.

Not later than the effective date of the rules adopted  
under this section, the board of education of each school  
district shall establish the structure for one or more local  
professional development committees to be operated by such  
school district. The committee structure so established by a  
district board shall remain in effect unless within thirty days  
prior to an anniversary of the date upon which the current  
committee structure was established, the board provides notice  
to all affected district employees that the committee structure  
is to be modified. Professional development committees may have  
a district-level or building-level scope of operations, and may  
be established with regard to particular grade or age levels for  
which an educator license is designated.

Each professional development committee shall consist of  
at least three classroom teachers employed by the district, one  
principal employed by the district, and one other employee of  
the district appointed by the district superintendent. For  
committees with a building-level scope, the teacher and  
principal members shall be assigned to that building, and the  
teacher members shall be elected by majority vote of the  
classroom teachers assigned to that building. For committees  
with a district-level scope, the teacher members shall be  
elected by majority vote of the classroom teachers of the  
district, and the principal member shall be elected by a  
majority vote of the principals of the district, unless there  
are two or fewer principals employed by the district, in which  
case the one or two principals employed shall serve on the

committee. If a committee has a particular grade or age level 4371  
scope, the teacher members shall be licensed to teach such grade 4372  
or age levels, and shall be elected by majority vote of the 4373  
classroom teachers holding such a license and the principal 4374  
shall be elected by all principals serving in buildings where 4375  
any such teachers serve. The district superintendent shall 4376  
appoint a replacement to fill any vacancy that occurs on a 4377  
professional development committee, except in the case of 4378  
vacancies among the elected classroom teacher members, which 4379  
shall be filled by vote of the remaining members of the 4380  
committee so selected. 4381

Terms of office on professional development committees 4382  
shall be prescribed by the district board establishing the 4383  
committees. The conduct of elections for members of professional 4384  
development committees shall be prescribed by the district board 4385  
establishing the committees. A professional development 4386  
committee may include additional members, except that the 4387  
majority of members on each such committee shall be classroom 4388  
teachers employed by the district. Any member appointed to fill 4389  
a vacancy occurring prior to the expiration date of the term for 4390  
which a predecessor was appointed shall hold office as a member 4391  
for the remainder of that term. 4392

The initial meeting of any professional development 4393  
committee, upon election and appointment of all committee 4394  
members, shall be called by a member designated by the district 4395  
superintendent. At this initial meeting, the committee shall 4396  
select a chairperson and such other officers the committee deems 4397  
necessary, and shall adopt rules for the conduct of its 4398  
meetings. Thereafter, the committee shall meet at the call of 4399  
the chairperson or upon the filing of a petition with the 4400  
district superintendent signed by a majority of the committee 4401



members calling for the committee to meet. 4402

(3) In the case of a school district in which an exclusive 4403  
representative has been established pursuant to Chapter 4117. of 4404  
the Revised Code, professional development committees shall be 4405  
established in accordance with any collective bargaining 4406  
agreement in effect in the district that includes provisions for 4407  
such committees. 4408

If the collective bargaining agreement does not specify a 4409  
different method for the selection of teacher members of the 4410  
committees, the exclusive representative of the district's 4411  
teachers shall select the teacher members. 4412

If the collective bargaining agreement does not specify a 4413  
different structure for the committees, the board of education 4414  
of the school district shall establish the structure, including 4415  
the number of committees and the number of teacher and 4416  
administrative members on each committee; the specific 4417  
administrative members to be part of each committee; whether the 4418  
scope of the committees will be district levels, building 4419  
levels, or by type of grade or age levels for which educator 4420  
licenses are designated; the lengths of terms for members; the 4421  
manner of filling vacancies on the committees; and the frequency 4422  
and time and place of meetings. However, in all cases, except as 4423  
provided in division (F) (4) of this section, there shall be a 4424  
majority of teacher members of any professional development 4425  
committee, there shall be at least five total members of any 4426  
professional development committee, and the exclusive 4427  
representative shall designate replacement members in the case 4428  
of vacancies among teacher members, unless the collective 4429  
bargaining agreement specifies a different method of selecting 4430  
such replacements. 4431

(4) Whenever an administrator's coursework plan is being 4432  
discussed or voted upon, the local professional development 4433  
committee shall, at the request of one of its administrative 4434  
members, cause a majority of the committee to consist of 4435  
administrative members by reducing the number of teacher members 4436  
voting on the plan. 4437

(G) (1) The department of education and workforce, 4438  
educational service centers, county boards of developmental 4439  
disabilities, college and university departments of education, 4440  
head start programs, and the Ohio education computer network may 4441  
establish local professional development committees to determine 4442  
whether the coursework proposed by their employees who are 4443  
licensed or certificated under this section or section 3319.222 4444  
of the Revised Code, or under the former version of either 4445  
section as it existed prior to October 16, 2009, meet the 4446  
requirements of the rules adopted under this section. They may 4447  
establish local professional development committees on their own 4448  
or in collaboration with a school district or other agency 4449  
having authority to establish them. 4450

Local professional development committees established by 4451  
county boards of developmental disabilities shall be structured 4452  
in a manner comparable to the structures prescribed for school 4453  
districts in divisions (F) (2) and (3) of this section, as shall 4454  
the committees established by any other entity specified in 4455  
division (G) (1) of this section that provides educational 4456  
services by employing or contracting for services of classroom 4457  
teachers licensed or certificated under this section or section 4458  
3319.222 of the Revised Code, or under the former version of 4459  
either section as it existed prior to October 16, 2009. All 4460  
other entities specified in division (G) (1) of this section 4461  
shall structure their committees in accordance with guidelines 4462

which shall be issued by the ~~state board~~ department. 4463

(2) Educational service centers may establish local 4464  
professional development committees to serve educators who are 4465  
not employed in schools in this state, including pupil services 4466  
personnel who are licensed under this section. Local 4467  
professional development committees shall be structured in a 4468  
manner comparable to the structures prescribed for school 4469  
districts in divisions (F) (2) and (3) of this section. 4470

These committees may agree to review the coursework, 4471  
continuing education units, or other equivalent activities 4472  
related to classroom teaching or the area of licensure that is 4473  
proposed by an individual who satisfies both of the following 4474  
conditions: 4475

(a) The individual is licensed or certificated under this 4476  
section or under the former version of this section as it 4477  
existed prior to October 16, 2009. 4478

(b) The individual is not currently employed as an 4479  
educator or is not currently employed by an entity that operates 4480  
a local professional development committee under this section. 4481

Any committee that agrees to work with such an individual 4482  
shall work to determine whether the proposed coursework, 4483  
continuing education units, or other equivalent activities meet 4484  
the requirements of the rules adopted by the state board under 4485  
this section. 4486

(3) Any public agency that is not specified in division 4487  
(G) (1) or (2) of this section but provides educational services 4488  
and employs or contracts for services of classroom teachers 4489  
licensed or certificated under this section or section 3319.222 4490  
of the Revised Code, or under the former version of either 4491

section as it existed prior to October 16, 2009, may establish a local professional development committee, subject to the approval of the department of education and workforce. The committee shall be structured in accordance with guidelines issued by the ~~state board~~ department.

(H) Not later than July 1, 2016, the state board, in accordance with Chapter 119. of the Revised Code, shall adopt rules pursuant to division (A) (3) of this section that do both of the following:

(1) Exempt consistently high-performing teachers from the requirement to complete any additional coursework for the renewal of an educator license issued under this section or section 3319.26 of the Revised Code. The rules also shall specify that such teachers are exempt from any requirements prescribed by professional development committees established under divisions (F) and (G) of this section.

(2) For purposes of division (H) (1) of this section, the state board shall define the term "consistently high-performing teacher."

Delete lines 42954 through 43259

Delete lines 44544 through 44655

After line 44655, insert:

**"Sec. 3319.60.** There is hereby established the educator standards board. The board shall develop and recommend to the state board of education standards for entering and continuing in the educator professions and standards for educator professional development. The board membership shall reflect the diversity of the state in terms of gender, race, ethnic

background, and geographic distribution. 4520

(A) The board shall consist of the following members: 4521

(1) The following nineteen members appointed by the state 4522  
board of education: 4523

(a) Ten persons employed as teachers in a school district. 4524  
Three persons appointed under this division shall be employed as 4525  
teachers in a secondary school, two persons shall be employed as 4526  
teachers in a middle school, three persons shall be employed as 4527  
teachers in an elementary school, one person shall be employed 4528  
as a teacher in a pre-kindergarten classroom, and one person 4529  
shall be a teacher who serves on a local professional 4530  
development committee pursuant to section 3319.22 of the Revised 4531  
Code. At least one person appointed under this division shall 4532  
hold a teaching certificate or license issued by the national 4533  
board for professional teaching standards. The Ohio education 4534  
association shall submit a list of fourteen nominees for these 4535  
appointments and the state board may appoint up to seven members 4536  
to the educator standards board from that list. The Ohio 4537  
federation of teachers shall submit a list of six nominees for 4538  
these appointments and the state board may appoint up to three 4539  
members to the educator standards board from that list. If there 4540  
is an insufficient number of nominees from both lists to satisfy 4541  
the membership requirements of this division, the state board 4542  
shall request additional nominees who satisfy those 4543  
requirements. 4544

(b) One person employed as a teacher in a chartered, 4545  
nonpublic school. Stakeholder groups selected by the state board 4546  
shall submit a list of two nominees for this appointment. 4547

(c) Five persons employed as school administrators in a 4548

school district. Of those five persons, one person shall be 4549  
employed as a secondary school principal, one person shall be 4550  
employed as a middle school principal, one person shall be 4551  
employed as an elementary school principal, one person shall be 4552  
employed as a school district treasurer or business manager, and 4553  
one person shall be employed as a school district 4554  
superintendent. The buckeye association of school administrators 4555  
shall submit a list of two nominees for the school district 4556  
superintendent, the Ohio association of school business 4557  
officials shall submit a list of two nominees for the school 4558  
district treasurer or business manager, the Ohio association of 4559  
elementary school administrators shall submit a list of two 4560  
nominees for the elementary school principal, and the Ohio 4561  
association of secondary school administrators shall submit a 4562  
list of two nominees for the middle school principal and a list 4563  
of two nominees for the secondary school principal. 4564

(d) One person who is a member of a school district board 4565  
of education. The Ohio school boards association shall submit a 4566  
list of two nominees for this appointment. 4567

(e) One person who is a parent of a student currently 4568  
enrolled in a school operated by a school district. The Ohio 4569  
parent teacher association shall submit a list of two nominees 4570  
for this appointment. 4571

(f) One person who represents community schools 4572  
established under Chapter 3314. of the Revised Code. 4573

(2) The chancellor of higher education shall appoint three 4574  
persons employed by institutions of higher education that offer 4575  
educator preparation programs. One person shall be employed by 4576  
an institution of higher education that has a certificate of 4577  
authorization under Chapter 1713. of the Revised Code; one 4578

person shall be employed by a state university, as defined in 4579  
section 3345.011 of the Revised Code, or a university branch; 4580  
and one person shall be employed by a state community college, 4581  
community college, or technical college. Of the two persons 4582  
appointed from an institution of higher education that has a 4583  
certificate of authorization under Chapter 1713. of the Revised 4584  
Code and from a state university or university branch: 4585

(a) One shall be a representative of the Ohio association 4586  
of private colleges for teacher education, or its successor 4587  
organization. 4588

(b) One shall be a representative of the state university 4589  
education deans of Ohio, or its successor organization. 4590

The chancellor shall appoint a representative from each of 4591  
the organizations specified in divisions (A) (2) (a) and (b) of 4592  
this section not later than sixty days after ~~the effective date~~ 4593  
~~of this amendment~~ April 6, 2023. Each representative shall serve 4594  
a two-year term beginning July 1, 2023. 4595

(3) The speaker of the house of representatives shall 4596  
appoint two persons who are active in or retired from the 4597  
education profession. 4598

(4) The president of the senate shall appoint two persons 4599  
who are active in or retired from the education profession. 4600

(5) The superintendent of public instruction ~~or a designee~~ 4601  
~~of the superintendent~~, the chancellor of higher education ~~or a~~ 4602  
~~designee of the chancellor~~, the director of education and 4603  
workforce, their designees, and the chairpersons and the ranking 4604  
minority members of the education committees of the senate and 4605  
house of representatives shall serve as nonvoting, ex officio 4606  
members. 4607

(B) Terms of office shall be for two years. Each member 4608  
shall hold office from the date of the member's appointment 4609  
until the end of the term for which the member was appointed. At 4610  
the first meeting, appointed members shall select a chairperson 4611  
and a vice-chairperson. Vacancies on the board shall be filled 4612  
in the same manner as prescribed for appointments under division 4613  
(A) of this section. Any member appointed to fill a vacancy 4614  
occurring prior to the expiration of the term for which the 4615  
member's predecessor was appointed shall hold office for the 4616  
remainder of such term. Any member shall continue in office 4617  
subsequent to the expiration date of the member's term until the 4618  
member's successor takes office, or until a period of sixty days 4619  
has elapsed, whichever occurs first. The terms of office of 4620  
members are renewable. 4621

(C) Members shall receive no compensation for their 4622  
services. 4623

(D) The board shall establish guidelines for its 4624  
operation. These guidelines shall permit the creation of 4625  
standing subcommittees when necessary. The board shall determine 4626  
the membership of any subcommittee it creates. The board may 4627  
select persons who are not members of the board to participate 4628  
in the deliberations of any subcommittee as representatives of 4629  
stakeholder groups, but no such person shall vote on any issue 4630  
before the subcommittee." 4631

Delete lines 44903 through 44938 4632

Delete lines 45675 through 45854 4633

After line 45854, insert: 4634

**"Sec. 3323.01.** As used in this chapter: 4635



(A) "Child with a disability" means a child who is at least three years of age and less than twenty-two years of age; who has an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability (including dyslexia), deaf-blindness, or multiple disabilities; and who, by reason thereof, needs special education and related services.

A "child with a disability" may include a child who is at least three years of age and less than ten years of age; who is experiencing developmental delays, as defined by standards adopted by the ~~state board~~ department of education and workforce and as measured by appropriate diagnostic instruments and procedures in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and who, by reason thereof, needs special education and related services.

(B) "Free appropriate public education" means special education and related services that meet all of the following:

(1) Are provided at public expense, under public supervision and direction, and without charge;

(2) Meet the standards of the ~~state board of education~~ department;

(3) Include an appropriate preschool, elementary, or secondary education as otherwise provided by the law of this state;

(4) Are provided for each child with a disability in conformity with the child's individualized education program. 4665  
4666

(C) "Homeless children" means "homeless children and youths" as defined in section 725 of the "McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11434a. 4667  
4668  
4669

(D) "Individualized education program" or "IEP" means the written statement described in section 3323.011 of the Revised Code. 4670  
4671  
4672

(E) "Individualized education program team" or "IEP team" means a group of individuals composed of: 4673  
4674

(1) The parents of a child with a disability; 4675

(2) At least one regular education teacher of the child, if the child is or may be participating in the regular education environment; 4676  
4677  
4678

(3) At least one special education teacher, or where appropriate, at least one special education provider of the child; 4679  
4680  
4681

(4) A representative of the school district who meets all of the following: 4682  
4683

(a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; 4684  
4685  
4686

(b) Is knowledgeable about the general education curriculum; 4687  
4688

(c) Is knowledgeable about the availability of resources of the school district. 4689  
4690

(5) An individual who can interpret the instructional 4691

implications of evaluation results, who may be a member of the team as described in divisions (E) (2) to (4) of this section;

(6) At the discretion of the parent or the school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;

(7) Whenever appropriate, the child with a disability.

(F) "Instruction in braille reading and writing" means the teaching of the system of reading and writing through touch commonly known as standard English braille.

(G) "Other educational agency" means a department, division, bureau, office, institution, board, commission, committee, authority, or other state or local agency, which is not a city, local, or exempted village school district or an agency administered by the department of developmental disabilities, that provides or seeks to provide special education or related services to children with disabilities. The term "other educational agency" includes a joint vocational school district.

(H) "Parent" of a child with a disability, except as used in sections 3323.09 and 3323.141 of the Revised Code, means:

(1) A natural or adoptive parent of a child but not a foster parent of a child;

(2) A guardian, but not the state if the child is a ward of the state;

(3) An individual acting in the place of a natural or adoptive parent, including a grandparent, stepparent, or other relative, with whom the child lives, or an individual who is

legally responsible for the child's welfare; 4720

(4) An individual assigned to be a surrogate parent, 4721  
provided the individual is not prohibited by this chapter from 4722  
serving as a surrogate parent for a child. 4723

(I) "Preschool child with a disability" means a child with 4724  
a disability who is at least three years of age but is not of 4725  
compulsory school age, as defined under section 3321.01 of the 4726  
Revised Code, and who is not currently enrolled in kindergarten. 4727

(J) "Related services" means transportation, and such 4728  
developmental, corrective, and other supportive services 4729  
(including speech-language pathology and audiology services, 4730  
interpreting services, psychological services, physical and 4731  
occupational therapy, recreation, including therapeutic 4732  
recreation, school nurse services designed to enable a child 4733  
with a disability to receive a free appropriate public education 4734  
as described in the individualized education program of the 4735  
child, counseling services, including rehabilitation counseling, 4736  
orientation and mobility services, school health services, 4737  
social work services in schools, and parent counseling and 4738  
training, and medical services, except that such medical 4739  
services shall be for diagnostic and evaluation purposes only) 4740  
as may be required to assist a child with a disability to 4741  
benefit from special education, and includes the early 4742  
identification and assessment of disabling conditions in 4743  
children. "Related services" does not include a medical device 4744  
that is surgically implanted, or the replacement of such device. 4745

(K) "School district" means a city, local, or exempted 4746  
village school district. 4747

(L) "School district of residence," as used in sections 4748

3323.09, 3323.091, 3323.13, and 3323.14 of the Revised Code, 4749  
means: 4750

(1) The school district in which the child's natural or 4751  
adoptive parents reside; 4752

(2) If the school district specified in division (L)(1) of 4753  
this section cannot be determined, the last school district in 4754  
which the child's natural or adoptive parents are known to have 4755  
resided if the parents' whereabouts are unknown; 4756

(3) If the school district specified in division (L)(2) of 4757  
this section cannot be determined, the school district 4758  
determined under section 2151.362 of the Revised Code, or if no 4759  
district has been so determined, the school district as 4760  
determined by the probate court of the county in which the child 4761  
resides. 4762

(4) Notwithstanding divisions (L)(1) to (3) of this 4763  
section, if a school district is required by section 3313.65 of 4764  
the Revised Code to pay tuition for a child, that district shall 4765  
be the child's school district of residence. 4766

(M) "Special education" means specially designed 4767  
instruction, at no cost to parents, to meet the unique needs of 4768  
a child with a disability. "Special education" includes 4769  
instruction conducted in the classroom, in the home, in 4770  
hospitals and institutions, and in other settings, including an 4771  
early childhood education setting, and instruction in physical 4772  
education. 4773

(N) "Student with a visual impairment" means any person 4774  
who is less than twenty-two years of age and who has a visual 4775  
impairment as that term is defined in this section. 4776

(O) "Transition services" means a coordinated set of activities for a child with a disability that meet all of the following:

(1) Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education; vocational education; integrated employment (including supported employment); continuing and adult education; adult services; independent living; or community participation;

(2) Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests;

(3) Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.

"Transition services" for children with disabilities may be special education, if provided as specially designed instruction, or may be a related service, if required to assist a child with a disability to benefit from special education.

(P) "Visual impairment" for any individual means that one of the following applies to the individual:

(1) The individual has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision in the better eye such that the widest diameter subtends an angular distance of no greater than twenty degrees.

(2) The individual has a medically indicated expectation

of meeting the requirements of division (P)(1) of this section 4805  
over a period of time. 4806

(3) The individual has a medically diagnosed and medically 4807  
uncorrectable limitation in visual functioning that adversely 4808  
affects the individual's ability to read and write standard 4809  
print at levels expected of the individual's peers of comparable 4810  
ability and grade level. 4811

(Q) "Ward of the state" has the same meaning as in section 4812  
602(36) of the "Individuals with Disabilities Education 4813  
Improvement Act of 2004," 20 U.S.C. 1401(36)." 4814

Delete lines 53504 through 53562 4815

After line 53562, insert: 4816

**"Sec. 3701.507.** (A) To assist in implementing sections 4817  
3701.503 to 3701.509 of the Revised Code, the medically 4818  
handicapped children's medical advisory council created in 4819  
section 3701.025 of the Revised Code shall appoint a permanent 4820  
infant hearing screening subcommittee. The subcommittee shall 4821  
consist of the following members: 4822

(1) One otolaryngologist; 4823

(2) One neonatologist; 4824

(3) One pediatrician; 4825

(4) One neurologist; 4826

(5) One hospital administrator; 4827

(6) Two or more audiologists who are experienced in infant 4828  
hearing screening and evaluation; 4829

(7) One speech-language pathologist licensed under section 4830

4753.07 of the Revised Code;	4831
(8) Two persons who are each a parent of a hearing-	4832
impaired child;	4833
(9) One geneticist;	4834
(10) One epidemiologist;	4835
(11) One adult who is deaf or hearing impaired;	4836
(12) One representative from an organization for persons	4837
who are deaf or hearing impaired;	4838
(13) One family advocate;	4839
(14) One nurse from a well-baby neonatal nursery;	4840
(15) One nurse from a special care neonatal nursery;	4841
(16) One teacher of persons who are deaf who works with	4842
infants and toddlers;	4843
(17) One representative of the health insurance industry;	4844
(18) One representative of the children with medical	4845
handicaps program;	4846
(19) One representative of the department of education <u>and</u>	4847
<u>workforce</u> ;	4848
(20) One representative of the department of medicaid;	4849
(21) Any other person the advisory council appoints.	4850
(B) The infant hearing subcommittee shall:	4851
(1) Consult with the director of health regarding the	4852
administration of sections 3701.503 to 3701.509 of the Revised	4853
Code;	4854



(2) Advise and make recommendations regarding proposed	4855
rules prior to their adoption by the director under section	4856
3701.508 of the Revised Code;	4857
(3) Consult with the director of health and advise and	4858
make recommendations regarding program development and	4859
implementation under sections 3701.503 to 3701.509 of the	4860
Revised Code, including all of the following:	4861
(a) Establishment under section 3701.504 of the Revised	4862
Code of the statewide hearing screening, tracking, and early	4863
intervention program to identify newborn and infant hearing	4864
impairment;	4865
(b) Identification of locations where hearing evaluations	4866
may be conducted;	4867
(c) Recommendations for methods and techniques of hearing	4868
screening and hearing evaluation;	4869
(d) Referral, data recording and compilation, and	4870
procedures to encourage follow-up hearing care;	4871
(e) Maintenance of a register of newborns and infants who	4872
do not pass the hearing screening;	4873
(f) Preparation of the information required by section	4874
3701.506 of the Revised Code."	4875
Delete lines 54707 through 54828	4876
After line 54828, insert:	4877
<b>"Sec. 4112.12.</b> (A) There is hereby created the commission	4878
on African-Americans, which shall consist of not more than	4879
thirteen members as follows: the directors or their designees of	4880
the departments of health, development, mental health and	4881

addiction services, and job and family services; ~~the~~ 4882  
~~superintendent of public instruction;~~ the chancellor of higher 4883  
education or the chancellor's designee; the director of 4884  
education and workforce; two members of the house of 4885  
representatives appointed by the speaker of the house of 4886  
representatives each of whom shall be members of different 4887  
political parties; and two members of the senate appointed by 4888  
the president of the senate each of whom shall be members of 4889  
different political parties. The members who are members of the 4890  
general assembly shall be nonvoting members. The Ohio state 4891  
university Bell national resource center, in consultation with 4892  
the governor, shall appoint two members from the private 4893  
corporate sector or the nonprofit sector, and one member with 4894  
experience in the philanthropic community. 4895

(B) Terms of office shall be for three years, except that 4896  
members of the general assembly appointed to the commission 4897  
shall be members only so long as they are members of the general 4898  
assembly. Each term ends on the same day of the same month as 4899  
did the term that it succeeds. Each member shall hold office 4900  
from the date of appointment until the end of the term for which 4901  
the member was appointed. Members may be reappointed. Vacancies 4902  
shall be filled in the manner provided for original 4903  
appointments. Any member appointed to fill a vacancy occurring 4904  
prior to the expiration date of the term for which the member's 4905  
predecessor was appointed shall hold office as a member for the 4906  
remainder of that term. A member shall continue in office 4907  
subsequent to the expiration date of the member's term until the 4908  
member's successor takes office or until a period of sixty days 4909  
has elapsed, whichever occurs first. 4910

The commission annually shall elect a chairperson from 4911  
among its members. 4912

(C) Members of the commission and members of subcommittees 4913  
appointed under division (B) of section 4112.13 of the Revised 4914  
Code shall not be compensated, but shall be reimbursed for their 4915  
necessary and actual expenses incurred in the performance of 4916  
their official duties. 4917

(D) The Ohio state university Bell national resource 4918  
center, in consultation with the governor, shall appoint an 4919  
executive director of the commission on African-Americans, who 4920  
shall be in the unclassified civil service. The executive 4921  
director shall supervise the commission's activities and report 4922  
to the commission and to the Ohio state university Bell national 4923  
resource center on the progress of those activities. The 4924  
executive director shall do all things necessary for the 4925  
efficient and effective implementation of the duties of the 4926  
commission. 4927

The responsibilities assigned to the executive director do 4928  
not relieve the members of the commission from final 4929  
responsibility for the proper performance of the requirements of 4930  
this division. 4931

(E) The commission on African-Americans shall do all of 4932  
the following: 4933

(1) Employ, promote, supervise, and remove all employees, 4934  
as needed, in connection with the performance of its duties 4935  
under this section; 4936

(2) Maintain its office at the Ohio state university Bell 4937  
national resource center; 4938

(3) Acquire facilities, equipment, and supplies necessary 4939  
to house the commission, its employees, and files and records 4940  
under its control, and to discharge any duty imposed upon it by 4941

law. The expense of these acquisitions shall be audited and paid	4942
for in the same manner as other state expenses.	4943
(4) Establish the overall policy and management of the	4944
commission in accordance with this chapter;	4945
(5) Follow all state procurement requirements;	4946
(6) Implement the policies and plans of the Ohio state	4947
university Bell national resource center as those policies and	4948
plans are formulated and adopted by the center;	4949
(7) Report to the Ohio state university Bell national	4950
resource center on the progress of the commission on African-	4951
Americans in implementing the policies and plans of the center.	4952
(F) The commission on African-Americans may:	4953
(1) Hold sessions at any place within the state, except	4954
that the commission shall meet at least quarterly;	4955
(2) Establish, change, or abolish positions, and assign	4956
and reassign duties and responsibilities of any employee of the	4957
commission as necessary to achieve the most efficient	4958
performance of its functions.	4959
(G) The Ohio state university Bell national resource	4960
center shall establish the overall policy and management of the	4961
commission on African-Americans and shall direct, manage, and	4962
oversee the commission. The center shall develop overall	4963
policies and plans, and the commission shall implement those	4964
policies and plans. The commission, through its executive	4965
director, shall keep the center informed as to the activities of	4966
the commission in such manner and at such times as the center	4967
shall determine.	4968
The Ohio state university Bell national resource center	4969

may prescribe duties and responsibilities of the commission in 4970  
addition to those prescribed in section 4112.13 of the Revised 4971  
Code. 4972

(H) The Ohio state university Bell national resource 4973  
center annually shall contract for a report on the status of 4974  
African Americans in this state. Issues to be evaluated in the 4975  
report shall include the criminal justice system, education, 4976  
employment, health care, and housing, and such other issues as 4977  
the center may specify. The report shall include policy 4978  
recommendations relating to the issues covered in the report." 4979

Delete lines 54984 through 55971 4980

After line 55971, insert: 4981

**"Sec. 4141.01.** As used in this chapter, unless the 4982  
context otherwise requires: 4983

(A)(1) "Employer" means the state, its instrumentalities, 4984  
its political subdivisions and their instrumentalities, Indian 4985  
tribes, and any individual or type of organization including any 4986  
partnership, limited liability company, association, trust, 4987  
estate, joint-stock company, insurance company, or corporation, 4988  
whether domestic or foreign, or the receiver, trustee in 4989  
bankruptcy, trustee, or the successor thereof, or the legal 4990  
representative of a deceased person who subsequent to December 4991  
31, 1971, or in the case of political subdivisions or their 4992  
instrumentalities, subsequent to December 31, 1973: 4993

(a) Had in employment at least one individual, or in the 4994  
case of a nonprofit organization, subsequent to December 31, 4995  
1973, had not less than four individuals in employment for some 4996  
portion of a day in each of twenty different calendar weeks, in 4997  
either the current or the preceding calendar year whether or not 4998

the same individual was in employment in each such day; or	4999
(b) Except for a nonprofit organization, had paid for	5000
service in employment wages of fifteen hundred dollars or more	5001
in any calendar quarter in either the current or preceding	5002
calendar year; or	5003
(c) Had paid, subsequent to December 31, 1977, for	5004
employment in domestic service in a local college club, or local	5005
chapter of a college fraternity or sorority, cash remuneration	5006
of one thousand dollars or more in any calendar quarter in the	5007
current calendar year or the preceding calendar year, or had	5008
paid subsequent to December 31, 1977, for employment in domestic	5009
service in a private home cash remuneration of one thousand	5010
dollars in any calendar quarter in the current calendar year or	5011
the preceding calendar year:	5012
(i) For the purposes of divisions (A) (1) (a) and (b) of	5013
this section, there shall not be taken into account any wages	5014
paid to, or employment of, an individual performing domestic	5015
service as described in this division.	5016
(ii) An employer under this division shall not be an	5017
employer with respect to wages paid for any services other than	5018
domestic service unless the employer is also found to be an	5019
employer under division (A) (1) (a), (b), or (d) of this section.	5020
(d) As a farm operator or a crew leader subsequent to	5021
December 31, 1977, had in employment individuals in agricultural	5022
labor; and	5023
(i) During any calendar quarter in the current calendar	5024
year or the preceding calendar year, paid cash remuneration of	5025
twenty thousand dollars or more for the agricultural labor; or	5026

(ii) Had at least ten individuals in employment in 5027  
agricultural labor, not including agricultural workers who are 5028  
aliens admitted to the United States to perform agricultural 5029  
labor pursuant to sections 1184(c) and 1101(a)(15)(H) of the 5030  
"Immigration and Nationality Act," 66 Stat. 163, 189, 8 U.S.C.A. 5031  
1101(a)(15)(H)(ii)(a), 1184(c), for some portion of a day in 5032  
each of the twenty different calendar weeks, in either the 5033  
current or preceding calendar year whether or not the same 5034  
individual was in employment in each day; or 5035

(e) Is not otherwise an employer as defined under division 5036  
(A)(1)(a) or (b) of this section; and 5037

(i) For which, within either the current or preceding 5038  
calendar year, service, except for domestic service in a private 5039  
home not covered under division (A)(1)(c) of this section, is or 5040  
was performed with respect to which such employer is liable for 5041  
any federal tax against which credit may be taken for 5042  
contributions required to be paid into a state unemployment 5043  
fund; 5044

(ii) Which, as a condition for approval of this chapter 5045  
for full tax credit against the tax imposed by the "Federal 5046  
Unemployment Tax Act," 84 Stat. 713, 26 U.S.C.A. 3301 to 3311, 5047  
is required, pursuant to such act to be an employer under this 5048  
chapter; or 5049

(iii) Who became an employer by election under division 5050  
(A)(4) or (5) of this section and for the duration of such 5051  
election; or 5052

(f) In the case of the state, its instrumentalities, its 5053  
political subdivisions, and their instrumentalities, and Indian 5054  
tribes, had in employment, as defined in divisions (B)(2)(a) and 5055

(B) (2) (1) of this section, at least one individual; 5056

(g) For the purposes of division (A) (1) (a) of this 5057  
section, if any week includes both the thirty-first day of 5058  
December and the first day of January, the days of that week 5059  
before the first day of January shall be considered one calendar 5060  
week and the days beginning the first day of January another 5061  
week. 5062

(2) Each individual employed to perform or to assist in 5063  
performing the work of any agent or employee of an employer is 5064  
employed by such employer for all the purposes of this chapter, 5065  
whether such individual was hired or paid directly by such 5066  
employer or by such agent or employee, provided the employer had 5067  
actual or constructive knowledge of the work. All individuals 5068  
performing services for an employer of any person in this state 5069  
who maintains two or more establishments within this state are 5070  
employed by a single employer for the purposes of this chapter. 5071

(3) An employer subject to this chapter within any 5072  
calendar year is subject to this chapter during the whole of 5073  
such year and during the next succeeding calendar year. 5074

(4) An employer not otherwise subject to this chapter who 5075  
files with the director of job and family services a written 5076  
election to become an employer subject to this chapter for not 5077  
less than two calendar years shall, with the written approval of 5078  
such election by the director, become an employer subject to 5079  
this chapter to the same extent as all other employers as of the 5080  
date stated in such approval, and shall cease to be subject to 5081  
this chapter as of the first day of January of any calendar year 5082  
subsequent to such two calendar years only if at least thirty 5083  
days prior to such first day of January the employer has filed 5084  
with the director a written notice to that effect. 5085



(5) Any employer for whom services that do not constitute employment are performed may file with the director a written election that all such services performed by individuals in the employer's employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this chapter, for not less than two calendar years. Upon written approval of the election by the director, such services shall be deemed to constitute employment subject to this chapter from and after the date stated in such approval. Such services shall cease to be employment subject to this chapter as of the first day of January of any calendar year subsequent to such two calendar years only if at least thirty days prior to such first day of January such employer has filed with the director a written notice to that effect.

(6) "Employer" does not include a franchisor with respect to the franchisor's relationship with a franchisee or an employee of a franchisee, unless the franchisor agrees to assume that role in writing or a court of competent jurisdiction determines that the franchisor exercises a type or degree of control over the franchisee or the franchisee's employees that is not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademark, brand, or both. For purposes of this division, "franchisor" and "franchisee" have the same meanings as in 16 C.F.R. 436.1.

(B) (1) "Employment" means service performed by an individual for remuneration under any contract of hire, written or oral, express or implied, including service performed in interstate commerce and service performed by an officer of a corporation, without regard to whether such service is executive, managerial, or manual in nature, and without regard to whether such officer is a stockholder or a member of the

board of directors of the corporation, unless it is shown to the 5117  
satisfaction of the director that such individual has been and 5118  
will continue to be free from direction or control over the 5119  
performance of such service, both under a contract of service 5120  
and in fact. The director shall adopt rules to define "direction 5121  
or control." 5122

(2) "Employment" includes: 5123

(a) Service performed after December 31, 1977, by an 5124  
individual in the employ of the state or any of its 5125  
instrumentalities, or any political subdivision thereof or any 5126  
of its instrumentalities or any instrumentality of more than one 5127  
of the foregoing or any instrumentality of any of the foregoing 5128  
and one or more other states or political subdivisions and 5129  
without regard to divisions (A) (1) (a) and (b) of this section, 5130  
provided that such service is excluded from employment as 5131  
defined in the "Federal Unemployment Tax Act," 53 Stat. 183, 26 5132  
U.S.C.A. 3301, 3306(c) (7) and is not excluded under division (B) 5133  
(3) of this section; or the services of employees covered by 5134  
voluntary election, as provided under divisions (A) (4) and (5) 5135  
of this section; 5136

(b) Service performed after December 31, 1971, by an 5137  
individual in the employ of a religious, charitable, 5138  
educational, or other organization which is excluded from the 5139  
term "employment" as defined in the "Federal Unemployment Tax 5140  
Act," 84 Stat. 713, 26 U.S.C.A. 3301 to 3311, solely by reason 5141  
of section 26 U.S.C.A. 3306(c) (8) of that act and is not 5142  
excluded under division (B) (3) of this section; 5143

(c) Domestic service performed after December 31, 1977, 5144  
for an employer, as provided in division (A) (1) (c) of this 5145  
section; 5146

(d) Agricultural labor performed after December 31, 1977,	5147
for a farm operator or a crew leader, as provided in division	5148
(A) (1) (d) of this section;	5149
(e) Subject to division (B) (2) (m) of this section, service	5150
not covered under division (B) (1) of this section which is	5151
performed after December 31, 1971:	5152
(i) As an agent-driver or commission-driver engaged in	5153
distributing meat products, vegetable products, fruit products,	5154
bakery products, beverages other than milk, laundry, or dry-	5155
cleaning services, for the individual's employer or principal;	5156
(ii) As a traveling or city salesperson, other than as an	5157
agent-driver or commission-driver, engaged on a full-time basis	5158
in the solicitation on behalf of and in the transmission to the	5159
salesperson's employer or principal except for sideline sales	5160
activities on behalf of some other person of orders from	5161
wholesalers, retailers, contractors, or operators of hotels,	5162
restaurants, or other similar establishments for merchandise for	5163
resale, or supplies for use in their business operations,	5164
provided that for the purposes of division (B) (2) (e) (ii) of this	5165
section, the services shall be deemed employment if the contract	5166
of service contemplates that substantially all of the services	5167
are to be performed personally by the individual and that the	5168
individual does not have a substantial investment in facilities	5169
used in connection with the performance of the services other	5170
than in facilities for transportation, and the services are not	5171
in the nature of a single transaction that is not a part of a	5172
continuing relationship with the person for whom the services	5173
are performed.	5174
(f) An individual's entire service performed within or	5175
both within and without the state if:	5176

(i) The service is localized in this state.	5177
(ii) The service is not localized in any state, but some	5178
of the service is performed in this state and either the base of	5179
operations, or if there is no base of operations then the place	5180
from which such service is directed or controlled, is in this	5181
state or the base of operations or place from which such service	5182
is directed or controlled is not in any state in which some part	5183
of the service is performed but the individual's residence is in	5184
this state.	5185
(g) Service not covered under division (B) (2) (f) (ii) of	5186
this section and performed entirely without this state, with	5187
respect to no part of which contributions are required and paid	5188
under an unemployment compensation law of any other state, the	5189
Virgin Islands, Canada, or of the United States, if the	5190
individual performing such service is a resident of this state	5191
and the director approves the election of the employer for whom	5192
such services are performed; or, if the individual is not a	5193
resident of this state but the place from which the service is	5194
directed or controlled is in this state, the entire services of	5195
such individual shall be deemed to be employment subject to this	5196
chapter, provided service is deemed to be localized within this	5197
state if the service is performed entirely within this state or	5198
if the service is performed both within and without this state	5199
but the service performed without this state is incidental to	5200
the individual's service within the state, for example, is	5201
temporary or transitory in nature or consists of isolated	5202
transactions;	5203
(h) Service of an individual who is a citizen of the	5204
United States, performed outside the United States except in	5205
Canada after December 31, 1971, or the Virgin Islands, after	5206

December 31, 1971, and before the first day of January of the 5207  
year following that in which the United States secretary of 5208  
labor approves the Virgin Islands law for the first time, in the 5209  
employ of an American employer, other than service which is 5210  
"employment" under divisions (B) (2) (f) and (g) of this section 5211  
or similar provisions of another state's law, if: 5212

(i) The employer's principal place of business in the 5213  
United States is located in this state; 5214

(ii) The employer has no place of business in the United 5215  
States, but the employer is an individual who is a resident of 5216  
this state; or the employer is a corporation which is organized 5217  
under the laws of this state, or the employer is a partnership 5218  
or a trust and the number of partners or trustees who are 5219  
residents of this state is greater than the number who are 5220  
residents of any other state; or 5221

(iii) None of the criteria of divisions (B) (2) (f) (i) and 5222  
(ii) of this section is met but the employer has elected 5223  
coverage in this state or the employer having failed to elect 5224  
coverage in any state, the individual has filed a claim for 5225  
benefits, based on such service, under this chapter. 5226

(i) For the purposes of division (B) (2) (h) of this 5227  
section, the term "American employer" means an employer who is 5228  
an individual who is a resident of the United States; or a 5229  
partnership, if two-thirds or more of the partners are residents 5230  
of the United States; or a trust, if all of the trustees are 5231  
residents of the United States; or a corporation organized under 5232  
the laws of the United States or of any state, provided the term 5233  
"United States" includes the states, the District of Columbia, 5234  
the Commonwealth of Puerto Rico, and the Virgin Islands. 5235

(j) Notwithstanding any other provisions of divisions (B) 5236  
(1) and (2) of this section, service, except for domestic 5237  
service in a private home not covered under division (A) (1) (c) 5238  
of this section, with respect to which a tax is required to be 5239  
paid under any federal law imposing a tax against which credit 5240  
may be taken for contributions required to be paid into a state 5241  
unemployment fund, or service, except for domestic service in a 5242  
private home not covered under division (A) (1) (c) of this 5243  
section, which, as a condition for full tax credit against the 5244  
tax imposed by the "Federal Unemployment Tax Act," 84 Stat. 713, 5245  
26 U.S.C.A. 3301 to 3311, is required to be covered under this 5246  
chapter. 5247

(k) Construction services performed by any individual 5248  
under a construction contract, as defined in section 4141.39 of 5249  
the Revised Code, if the director determines that the employer 5250  
for whom services are performed has the right to direct or 5251  
control the performance of the services and that the individuals 5252  
who perform the services receive remuneration for the services 5253  
performed. The director shall presume that the employer for whom 5254  
services are performed has the right to direct or control the 5255  
performance of the services if ten or more of the following 5256  
criteria apply: 5257

(i) The employer directs or controls the manner or method 5258  
by which instructions are given to the individual performing 5259  
services; 5260

(ii) The employer requires particular training for the 5261  
individual performing services; 5262

(iii) Services performed by the individual are integrated 5263  
into the regular functioning of the employer; 5264

(iv) The employer requires that services be provided by a particular individual;	5265 5266
(v) The employer hires, supervises, or pays the wages of the individual performing services;	5267 5268
(vi) A continuing relationship between the employer and the individual performing services exists which contemplates continuing or recurring work, even if not full-time work;	5269 5270 5271
(vii) The employer requires the individual to perform services during established hours;	5272 5273
(viii) The employer requires that the individual performing services be devoted on a full-time basis to the business of the employer;	5274 5275 5276
(ix) The employer requires the individual to perform services on the employer's premises;	5277 5278
(x) The employer requires the individual performing services to follow the order of work established by the employer;	5279 5280 5281
(xi) The employer requires the individual performing services to make oral or written reports of progress;	5282 5283
(xii) The employer makes payment to the individual for services on a regular basis, such as hourly, weekly, or monthly;	5284 5285
(xiii) The employer pays expenses for the individual performing services;	5286 5287
(xiv) The employer furnishes the tools and materials for use by the individual to perform services;	5288 5289
(xv) The individual performing services has not invested in the facilities used to perform services;	5290 5291

(xvi) The individual performing services does not realize a profit or suffer a loss as a result of the performance of the services;	5292 5293 5294
(xvii) The individual performing services is not performing services for more than two employers simultaneously;	5295 5296
(xviii) The individual performing services does not make the services available to the general public;	5297 5298
(xix) The employer has a right to discharge the individual performing services;	5299 5300
(xx) The individual performing services has the right to end the individual's relationship with the employer without incurring liability pursuant to an employment contract or agreement.	5301 5302 5303 5304
(1) Service performed by an individual in the employ of an Indian tribe as defined by section 4(e) of the "Indian Self-Determination and Education Assistance Act," 88 Stat. 2204 (1975), 25 U.S.C.A. 450b(e), including any subdivision, subsidiary, or business enterprise wholly owned by an Indian tribe provided that the service is excluded from employment as defined in the "Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 and 3306(c) (7) and is not excluded under division (B) (3) of this section.	5305 5306 5307 5308 5309 5310 5311 5312 5313
(m) Service performed by an individual for or on behalf of a motor carrier transporting property as an operator of a vehicle or vessel, unless all of the following factors apply to the individual and the motor carrier has not elected to consider the individual's service as employment:	5314 5315 5316 5317 5318
(i) The individual owns the vehicle or vessel that is used	5319



in performing the services for or on behalf of the carrier, or 5320  
the individual leases the vehicle or vessel under a bona fide 5321  
lease agreement that is not a temporary replacement lease 5322  
agreement. For purposes of this division, a bona fide lease 5323  
agreement does not include an agreement between the individual 5324  
and the motor carrier transporting property for which, or on 5325  
whose behalf, the individual provides services. 5326

(ii) The individual is responsible for supplying the 5327  
necessary personal services to operate the vehicle or vessel 5328  
used to provide the service. 5329

(iii) The compensation paid to the individual is based on 5330  
factors related to work performed, including on a mileage-based 5331  
rate or a percentage of any schedule of rates, and not solely on 5332  
the basis of the hours or time expended. 5333

(iv) The individual substantially controls the means and 5334  
manner of performing the services, in conformance with 5335  
regulatory requirements and specifications of the shipper. 5336

(v) The individual enters into a written contract with the 5337  
carrier for whom the individual is performing the services that 5338  
describes the relationship between the individual and the 5339  
carrier to be that of an independent contractor and not that of 5340  
an employee. 5341

(vi) The individual is responsible for substantially all 5342  
of the principal operating costs of the vehicle or vessel and 5343  
equipment used to provide the services, including maintenance, 5344  
fuel, repairs, supplies, vehicle or vessel insurance, and 5345  
personal expenses, except that the individual may be paid by the 5346  
carrier the carrier's fuel surcharge and incidental costs, 5347  
including tolls, permits, and lump sum fees. 5348

(vii) The individual is responsible for any economic loss	5349
or economic gain from the arrangement with the carrier.	5350
(viii) The individual is not performing services described	5351
in 26 U.S.C. 3306(c) (7) or (8).	5352
(3) "Employment" does not include the following services	5353
if they are found not subject to the "Federal Unemployment Tax	5354
Act," 84 Stat. 713 (1970), 26 U.S.C.A. 3301 to 3311, and if the	5355
services are not required to be included under division (B) (2)	5356
(j) of this section:	5357
(a) Service performed after December 31, 1977, in	5358
agricultural labor, except as provided in division (A) (1) (d) of	5359
this section;	5360
(b) Domestic service performed after December 31, 1977, in	5361
a private home, local college club, or local chapter of a	5362
college fraternity or sorority except as provided in division	5363
(A) (1) (c) of this section;	5364
(c) Service performed after December 31, 1977, for this	5365
state or a political subdivision as described in division (B) (2)	5366
(a) of this section when performed:	5367
(i) As a publicly elected official;	5368
(ii) As a member of a legislative body, or a member of the	5369
judiciary;	5370
(iii) As a military member of the Ohio national guard;	5371
(iv) As an employee, not in the classified service as	5372
defined in section 124.11 of the Revised Code, serving on a	5373
temporary basis in case of fire, storm, snow, earthquake, flood,	5374
or similar emergency;	5375

(v) In a position which, under or pursuant to law, is designated as a major nontenured policymaking or advisory position, not in the classified service of the state, or a policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week.	5376 5377 5378 5379 5380 5381
(d) In the employ of any governmental unit or instrumentality of the United States;	5382 5383
(e) Service performed after December 31, 1971:	5384
(i) Service in the employ of an educational institution or institution of higher education, including those operated by the state or a political subdivision, if such service is performed by a student who is enrolled and is regularly attending classes at the educational institution or institution of higher education; or	5385 5386 5387 5388 5389 5390
(ii) By an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at the institution, which combines academic instruction with work experience, if the service is an integral part of the program, and the institution has so certified to the employer, provided that this subdivision shall not apply to service performed in a program established for or on behalf of an employer or group of employers.	5391 5392 5393 5394 5395 5396 5397 5398 5399 5400 5401
(f) Service performed by an individual in the employ of the individual's son, daughter, or spouse and service performed by a child under the age of eighteen in the employ of the	5402 5403 5404

child's father or mother;	5405
(g) Service performed for one or more principals by an individual who is compensated on a commission basis, who in the performance of the work is master of the individual's own time and efforts, and whose remuneration is wholly dependent on the amount of effort the individual chooses to expend, and which service is not subject to the "Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 to 3311. Service performed after December 31, 1971:	5406 5407 5408 5409 5410 5411 5412 5413
(i) By an individual for an employer as an insurance agent or as an insurance solicitor, if all this service is performed for remuneration solely by way of commission;	5414 5415 5416
(ii) As a home worker performing work, according to specifications furnished by the employer for whom the services are performed, on materials or goods furnished by such employer which are required to be returned to the employer or to a person designated for that purpose.	5417 5418 5419 5420 5421
(h) Service performed after December 31, 1971:	5422
(i) In the employ of a church or convention or association of churches, or in an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;	5423 5424 5425 5426 5427
(ii) By a duly ordained, commissioned, or licensed minister of a church in the exercise of the individual's ministry or by a member of a religious order in the exercise of duties required by such order; or	5428 5429 5430 5431
(iii) In a facility conducted for the purpose of carrying	5432

out a program of rehabilitation for individuals whose earning 5433  
capacity is impaired by age or physical or mental disability or 5434  
injury, or providing remunerative work for individuals who 5435  
because of their impaired physical or mental capacity cannot be 5436  
readily absorbed in the competitive labor market, by an 5437  
individual receiving such rehabilitation or remunerative work. 5438

(i) Service performed after June 30, 1939, with respect to 5439  
which unemployment compensation is payable under the "Railroad 5440  
Unemployment Insurance Act," 52 Stat. 1094 (1938), 45 U.S.C. 5441  
351; 5442

(j) Service performed by an individual in the employ of 5443  
any organization exempt from income tax under section 501 of the 5444  
"Internal Revenue Code of 1954," if the remuneration for such 5445  
service does not exceed fifty dollars in any calendar quarter, 5446  
or if such service is in connection with the collection of dues 5447  
or premiums for a fraternal beneficial society, order, or 5448  
association and is performed away from the home office or is 5449  
ritualistic service in connection with any such society, order, 5450  
or association; 5451

(k) Casual labor not in the course of an employer's trade 5452  
or business; incidental service performed by an officer, 5453  
appraiser, or member of a finance committee of a bank, building 5454  
and loan association, savings and loan association, or savings 5455  
association when the remuneration for such incidental service 5456  
exclusive of the amount paid or allotted for directors' fees 5457  
does not exceed sixty dollars per calendar quarter is casual 5458  
labor; 5459

(l) Service performed in the employ of a voluntary 5460  
employees' beneficial association providing for the payment of 5461  
life, sickness, accident, or other benefits to the members of 5462

such association or their dependents or their designated 5463  
beneficiaries, if admission to a membership in such association 5464  
is limited to individuals who are officers or employees of a 5465  
municipal or public corporation, of a political subdivision of 5466  
the state, or of the United States and no part of the net 5467  
earnings of such association inures, other than through such 5468  
payments, to the benefit of any private shareholder or 5469  
individual; 5470

(m) Service performed by an individual in the employ of a 5471  
foreign government, including service as a consular or other 5472  
officer or employee or of a nondiplomatic representative; 5473

(n) Service performed in the employ of an instrumentality 5474  
wholly owned by a foreign government if the service is of a 5475  
character similar to that performed in foreign countries by 5476  
employees of the United States or of an instrumentality thereof 5477  
and if the director finds that the secretary of state of the 5478  
United States has certified to the secretary of the treasury of 5479  
the United States that the foreign government, with respect to 5480  
whose instrumentality exemption is claimed, grants an equivalent 5481  
exemption with respect to similar service performed in the 5482  
foreign country by employees of the United States and of 5483  
instrumentalities thereof; 5484

(o) Service with respect to which unemployment 5485  
compensation is payable under an unemployment compensation 5486  
system established by an act of congress; 5487

(p) Service performed as a student nurse in the employ of 5488  
a hospital or a nurses' training school by an individual who is 5489  
enrolled and is regularly attending classes in a nurses' 5490  
training school chartered or approved pursuant to state law, and 5491  
service performed as an intern in the employ of a hospital by an 5492

individual who has completed a four years' course in a medical	5493
school chartered or approved pursuant to state law;	5494
(q) Service performed by an individual under the age of	5495
eighteen in the delivery or distribution of newspapers or	5496
shopping news, not including delivery or distribution to any	5497
point for subsequent delivery or distribution;	5498
(r) Service performed in the employ of the United States	5499
or an instrumentality of the United States immune under the	5500
Constitution of the United States from the contributions imposed	5501
by this chapter, except that to the extent that congress permits	5502
states to require any instrumentalities of the United States to	5503
make payments into an unemployment fund under a state	5504
unemployment compensation act, this chapter shall be applicable	5505
to such instrumentalities and to services performed for such	5506
instrumentalities in the same manner, to the same extent, and on	5507
the same terms as to all other employers, individuals, and	5508
services, provided that if this state is not certified for any	5509
year by the proper agency of the United States under section	5510
3304 of the "Internal Revenue Code of 1954," the payments	5511
required of such instrumentalities with respect to such year	5512
shall be refunded by the director from the fund in the same	5513
manner and within the same period as is provided in division (E)	5514
of section 4141.09 of the Revised Code with respect to	5515
contributions erroneously collected;	5516
(s) Service performed by an individual as a member of a	5517
band or orchestra, provided such service does not represent the	5518
principal occupation of such individual, and which service is	5519
not subject to or required to be covered for full tax credit	5520
against the tax imposed by the "Federal Unemployment Tax Act,"	5521
53 Stat. 183 (1939), 26 U.S.C.A. 3301 to 3311.	5522

(t) Service performed in the employ of a day camp whose	5523
camping season does not exceed twelve weeks in any calendar	5524
year, and which service is not subject to the "Federal	5525
Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 to	5526
3311. Service performed after December 31, 1971:	5527
(i) In the employ of a hospital, if the service is	5528
performed by a patient of the hospital, as defined in division	5529
(W) of this section;	5530
(ii) For a prison or other correctional institution by an	5531
inmate of the prison or correctional institution;	5532
(iii) Service performed after December 31, 1977, by an	5533
inmate of a custodial institution operated by the state, a	5534
political subdivision, or a nonprofit organization.	5535
(u) Service that is performed by a nonresident alien	5536
individual for the period the individual temporarily is present	5537
in the United States as a nonimmigrant under division (F), (J),	5538
(M), or (Q) of section 101(a)(15) of the "Immigration and	5539
Nationality Act," 66 Stat. 163, 8 U.S.C.A. 1101, as amended,	5540
that is excluded under section 3306(c)(19) of the "Federal	5541
Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 to	5542
3311.	5543
(v) Notwithstanding any other provisions of division (B)	5544
(3) of this section, services that are excluded under divisions	5545
(B)(3)(g), (j), (k), and (l) of this section shall not be	5546
excluded from employment when performed for a nonprofit	5547
organization, as defined in division (X) of this section, or for	5548
this state or its instrumentalities, or for a political	5549
subdivision or its instrumentalities or for Indian tribes;	5550
(w) Service that is performed by an individual working as	5551



an election official or election worker if the amount of 5552  
remuneration received by the individual during the calendar year 5553  
for services as an election official or election worker is less 5554  
than one thousand dollars; 5555

(x) Service performed for an elementary or secondary 5556  
school that is operated primarily for religious purposes, that 5557  
is described in subsection 501(c)(3) and exempt from federal 5558  
income taxation under subsection 501(a) of the Internal Revenue 5559  
Code, 26 U.S.C.A. 501; 5560

(y) Service performed by a person committed to a penal 5561  
institution. 5562

(z) Service performed for an Indian tribe as described in 5563  
division (B)(2)(1) of this section when performed in any of the 5564  
following manners: 5565

(i) As a publicly elected official; 5566

(ii) As a member of an Indian tribal council; 5567

(iii) As a member of a legislative or judiciary body; 5568

(iv) In a position which, pursuant to Indian tribal law, 5569  
is designated as a major nontenured policymaking or advisory 5570  
position, or a policymaking or advisory position where the 5571  
performance of the duties ordinarily does not require more than 5572  
eight hours of time per week; 5573

(v) As an employee serving on a temporary basis in the 5574  
case of a fire, storm, snow, earthquake, flood, or similar 5575  
emergency. 5576

(aa) Service performed after December 31, 1971, for a 5577  
nonprofit organization, this state or its instrumentalities, a 5578  
political subdivision or its instrumentalities, or an Indian 5579

tribe as part of an unemployment work-relief or work-training 5580  
program assisted or financed in whole or in part by any federal 5581  
agency or an agency of a state or political subdivision, 5582  
thereof, by an individual receiving the work-relief or work- 5583  
training. 5584

(bb) Participation in a learn to earn program as defined 5585  
in section 4141.293 of the Revised Code. 5586

(4) If the services performed during one half or more of 5587  
any pay period by an employee for the person employing that 5588  
employee constitute employment, all the services of such 5589  
employee for such period shall be deemed to be employment; but 5590  
if the services performed during more than one half of any such 5591  
pay period by an employee for the person employing that employee 5592  
do not constitute employment, then none of the services of such 5593  
employee for such period shall be deemed to be employment. As 5594  
used in division (B) (4) of this section, "pay period" means a 5595  
period, of not more than thirty-one consecutive days, for which 5596  
payment of remuneration is ordinarily made to the employee by 5597  
the person employing that employee. Division (B) (4) of this 5598  
section does not apply to services performed in a pay period by 5599  
an employee for the person employing that employee, if any of 5600  
such service is excepted by division (B) (3) (o) of this section. 5601

(C) "Benefits" means money payments payable to an 5602  
individual who has established benefit rights, as provided in 5603  
this chapter, for loss of remuneration due to the individual's 5604  
unemployment. 5605

(D) "Benefit rights" means the weekly benefit amount and 5606  
the maximum benefit amount that may become payable to an 5607  
individual within the individual's benefit year as determined by 5608  
the director. 5609

(E) "Claim for benefits" means a claim for waiting period 5610  
or benefits for a designated week. 5611

(F) "Additional claim" means the first claim for benefits 5612  
filed following any separation from employment during a benefit 5613  
year; "continued claim" means any claim other than the first 5614  
claim for benefits and other than an additional claim. 5615

(G) "Wages" means remuneration paid to an employee by each 5616  
of the employee's employers with respect to employment; except 5617  
that wages shall not include that part of remuneration paid 5618  
during any calendar year to an individual by an employer or such 5619  
employer's predecessor in interest in the same business or 5620  
enterprise, which in any calendar year is in excess of nine 5621  
thousand dollars on and after January 1, 1995; nine thousand 5622  
five hundred dollars on and after January 1, 2018; and nine 5623  
thousand dollars on and after January 1, 2020. Remuneration in 5624  
excess of such amounts shall be deemed wages subject to 5625  
contribution to the same extent that such remuneration is 5626  
defined as wages under the "Federal Unemployment Tax Act," 84 5627  
Stat. 714 (1970), 26 U.S.C.A. 3301 to 3311, as amended. The 5628  
remuneration paid an employee by an employer with respect to 5629  
employment in another state, upon which contributions were 5630  
required and paid by such employer under the unemployment 5631  
compensation act of such other state, shall be included as a 5632  
part of remuneration in computing the amount specified in this 5633  
division. 5634

(H) (1) "Remuneration" means all compensation for personal 5635  
services, including commissions and bonuses and the cash value 5636  
of all compensation in any medium other than cash, except that 5637  
in the case of agricultural or domestic service, "remuneration" 5638  
includes only cash remuneration. Gratuities customarily received 5639

by an individual in the course of the individual's employment 5640  
from persons other than the individual's employer and which are 5641  
accounted for by such individual to the individual's employer 5642  
are taxable wages. 5643

The reasonable cash value of compensation paid in any 5644  
medium other than cash shall be estimated and determined in 5645  
accordance with rules prescribed by the director, provided that 5646  
"remuneration" does not include: 5647

(a) Payments as provided in divisions (b) (2) to (b) (20) of 5648  
section 3306 of the "Federal Unemployment Tax Act," 84 Stat. 5649  
713, 26 U.S.C.A. 3301 to 3311, as amended; 5650

(b) The payment by an employer, without deduction from the 5651  
remuneration of the individual in the employer's employ, of the 5652  
tax imposed upon an individual in the employer's employ under 5653  
section 3101 of the "Internal Revenue Code of 1954," with 5654  
respect to services performed after October 1, 1941. 5655

(2) "Cash remuneration" means all remuneration paid in 5656  
cash, including commissions and bonuses, but not including the 5657  
cash value of all compensation in any medium other than cash. 5658

(I) "Interested party" means the director and any party to 5659  
whom notice of a determination of an application for benefit 5660  
rights or a claim for benefits is required to be given under 5661  
section 4141.28 of the Revised Code. 5662

(J) "Annual payroll" means the total amount of wages 5663  
subject to contributions during a twelve-month period ending 5664  
with the last day of the second calendar quarter of any calendar 5665  
year. 5666

(K) "Average annual payroll" means the average of the last 5667

three annual payrolls of an employer, provided that if, as of 5668  
any computation date, the employer has had less than three 5669  
annual payrolls in such three-year period, such average shall be 5670  
based on the annual payrolls which the employer has had as of 5671  
such date. 5672

(L) (1) "Contributions" means the money payments to the 5673  
state unemployment compensation fund required of employers by 5674  
section 4141.25 of the Revised Code and of the state and any of 5675  
its political subdivisions electing to pay contributions under 5676  
section 4141.242 of the Revised Code. Employers paying 5677  
contributions shall be described as "contributory employers." 5678

(2) "Payments in lieu of contributions" means the money 5679  
payments to the state unemployment compensation fund required of 5680  
reimbursing employers under sections 4141.241 and 4141.242 of 5681  
the Revised Code. 5682

(M) An individual is "totally unemployed" in any week 5683  
during which the individual performs no services and with 5684  
respect to such week no remuneration is payable to the 5685  
individual. 5686

(N) An individual is "partially unemployed" in any week 5687  
if, due to involuntary loss of work, the total remuneration 5688  
payable to the individual for such week is less than the 5689  
individual's weekly benefit amount. 5690

(O) "Week" means the calendar week ending at midnight 5691  
Saturday unless an equivalent week of seven consecutive calendar 5692  
days is prescribed by the director. 5693

(1) "Qualifying week" means any calendar week in an 5694  
individual's base period with respect to which the individual 5695  
earns or is paid remuneration in employment subject to this 5696

chapter. A calendar week with respect to which an individual 5697  
earns remuneration but for which payment was not made within the 5698  
base period, when necessary to qualify for benefit rights, may 5699  
be considered to be a qualifying week. The number of qualifying 5700  
weeks which may be established in a calendar quarter shall not 5701  
exceed the number of calendar weeks in the quarter. 5702

(2) "Average weekly wage" means the amount obtained by 5703  
dividing an individual's total remuneration for all qualifying 5704  
weeks during the base period by the number of such qualifying 5705  
weeks, provided that if the computation results in an amount 5706  
that is not a multiple of one dollar, such amount shall be 5707  
rounded to the next lower multiple of one dollar. 5708

(P) "Weekly benefit amount" means the amount of benefits 5709  
an individual would be entitled to receive for one week of total 5710  
unemployment. 5711

(Q) (1) "Base period" means the first four of the last five 5712  
completed calendar quarters immediately preceding the first day 5713  
of an individual's benefit year, except as provided in division 5714  
(Q) (2) of this section. 5715

(2) If an individual does not have sufficient qualifying 5716  
weeks and wages in the base period to qualify for benefit 5717  
rights, the individual's base period shall be the four most 5718  
recently completed calendar quarters preceding the first day of 5719  
the individual's benefit year. Such base period shall be known 5720  
as the "alternate base period." If information as to weeks and 5721  
wages for the most recent quarter of the alternate base period 5722  
is not available to the director from the regular quarterly 5723  
reports of wage information, which are systematically 5724  
accessible, the director may, consistent with the provisions of 5725  
section 4141.28 of the Revised Code, base the determination of 5726

eligibility for benefits on the affidavit of the claimant with 5727  
respect to weeks and wages for that calendar quarter. The 5728  
claimant shall furnish payroll documentation, where available, 5729  
in support of the affidavit. The determination based upon the 5730  
alternate base period as it relates to the claimant's benefit 5731  
rights, shall be amended when the quarterly report of wage 5732  
information from the employer is timely received and that 5733  
information causes a change in the determination. As provided in 5734  
division (B) of section 4141.28 of the Revised Code, any 5735  
benefits paid and charged to an employer's account, based upon a 5736  
claimant's affidavit, shall be adjusted effective as of the 5737  
beginning of the claimant's benefit year. No calendar quarter in 5738  
a base period or alternate base period shall be used to 5739  
establish a subsequent benefit year. 5740

(3) The "base period" of a combined wage claim, as 5741  
described in division (H) of section 4141.43 of the Revised 5742  
Code, shall be the base period prescribed by the law of the 5743  
state in which the claim is allowed. 5744

(4) For purposes of determining the weeks that comprise a 5745  
completed calendar quarter under this division, only those weeks 5746  
ending at midnight Saturday within the calendar quarter shall be 5747  
utilized. 5748

(R) (1) "Benefit year" with respect to an individual means 5749  
the fifty-two week period beginning with the first day of that 5750  
week with respect to which the individual first files a valid 5751  
application for determination of benefit rights, and thereafter 5752  
the fifty-two week period beginning with the first day of that 5753  
week with respect to which the individual next files a valid 5754  
application for determination of benefit rights after the 5755  
termination of the individual's last preceding benefit year, 5756

except that the application shall not be considered valid unless 5757  
the individual has had employment in six weeks that is subject 5758  
to this chapter or the unemployment compensation act of another 5759  
state, or the United States, and has, since the beginning of the 5760  
individual's previous benefit year, in the employment earned 5761  
three times the average weekly wage determined for the previous 5762  
benefit year. The "benefit year" of a combined wage claim, as 5763  
described in division (H) of section 4141.43 of the Revised 5764  
Code, shall be the benefit year prescribed by the law of the 5765  
state in which the claim is allowed. Any application for 5766  
determination of benefit rights made in accordance with section 5767  
4141.28 of the Revised Code is valid if the individual filing 5768  
such application is unemployed, has been employed by an employer 5769  
or employers subject to this chapter in at least twenty 5770  
qualifying weeks within the individual's base period, and has 5771  
earned or been paid remuneration at an average weekly wage of 5772  
not less than twenty-seven and one-half per cent of the 5773  
statewide average weekly wage for such weeks. For purposes of 5774  
determining whether an individual has had sufficient employment 5775  
since the beginning of the individual's previous benefit year to 5776  
file a valid application, "employment" means the performance of 5777  
services for which remuneration is payable. 5778

(2) Effective for benefit years beginning on and after 5779  
December 26, 2004, but before July 1, 2022, any application for 5780  
determination of benefit rights made in accordance with section 5781  
4141.28 of the Revised Code is valid if the individual satisfies 5782  
the criteria described in division (R)(1) of this section, and 5783  
if the reason for the individual's separation from employment is 5784  
not disqualifying pursuant to division (D)(2) of section 4141.29 5785  
or section 4141.291 of the Revised Code. A disqualification 5786  
imposed pursuant to division (D)(2) of section 4141.29 or 5787



section 4141.291 of the Revised Code must be removed as provided 5788  
in those sections as a requirement of establishing a valid 5789  
application for benefit years beginning on and after December 5790  
26, 2004, but before July 1, 2022. Effective for benefit years 5791  
beginning on and after July 1, 2022, any application for 5792  
determination of benefit rights made in accordance with section 5793  
4141.28 of the Revised Code is valid if the individual satisfies 5794  
the criteria described in division (R) (1) of this section. A 5795  
disqualification imposed pursuant to division (D) (2) of section 5796  
4141.29 or section 4141.291 of the Revised Code does not affect 5797  
the validity of an application. 5798

(3) The statewide average weekly wage shall be calculated 5799  
by the director once a year based on the twelve-month period 5800  
ending the thirtieth day of June, as set forth in division (B) 5801  
(3) of section 4141.30 of the Revised Code, rounded down to the 5802  
nearest dollar. Increases or decreases in the amount of 5803  
remuneration required to have been earned or paid in order for 5804  
individuals to have filed valid applications shall become 5805  
effective on Sunday of the calendar week in which the first day 5806  
of January occurs that follows the twelve-month period ending 5807  
the thirtieth day of June upon which the calculation of the 5808  
statewide average weekly wage was based. 5809

(4) As used in this division, an individual is 5810  
"unemployed" if, with respect to the calendar week in which such 5811  
application is filed, the individual is "partially unemployed" 5812  
or "totally unemployed" as defined in this section or if, prior 5813  
to filing the application, the individual was separated from the 5814  
individual's most recent work for any reason which terminated 5815  
the individual's employee-employer relationship, or was laid off 5816  
indefinitely or for a definite period of seven or more days. 5817

(S) "Calendar quarter" means the period of three consecutive calendar months ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty-first day of December, or the equivalent thereof as the director prescribes by rule.

(T) "Computation date" means the first day of the third calendar quarter of any calendar year.

(U) "Contribution period" means the calendar year beginning on the first day of January of any year.

(V) "Agricultural labor," for the purpose of this division, means any service performed prior to January 1, 1972, which was agricultural labor as defined in this division prior to that date, and service performed after December 31, 1971:

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife;

(2) In the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by hurricane, if the major part of such service is performed on a farm;

(3) In connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the "Agricultural Marketing Act," 46 Stat. 1550 (1931), 12 U.S.C. 1141j, as amended, or in connection with the ginning of

cotton, or in connection with the operation or maintenance of 5847  
ditches, canals, reservoirs, or waterways, not owned or operated 5848  
for profit, used exclusively for supplying and storing water for 5849  
farming purposes; 5850

(4) In the employ of the operator of a farm in handling, 5851  
planting, drying, packing, packaging, processing, freezing, 5852  
grading, storing, or delivering to storage or to market or to a 5853  
carrier for transportation to market, in its unmanufactured 5854  
state, any agricultural or horticultural commodity, but only if 5855  
the operator produced more than one half of the commodity with 5856  
respect to which such service is performed; 5857

(5) In the employ of a group of operators of farms, or a 5858  
cooperative organization of which the operators are members, in 5859  
the performance of service described in division (V) (4) of this 5860  
section, but only if the operators produced more than one-half 5861  
of the commodity with respect to which the service is performed; 5862

(6) Divisions (V) (4) and (5) of this section shall not be 5863  
deemed to be applicable with respect to service performed: 5864

(a) In connection with commercial canning or commercial 5865  
freezing or in connection with any agricultural or horticultural 5866  
commodity after its delivery to a terminal market for 5867  
distribution for consumption; or 5868

(b) On a farm operated for profit if the service is not in 5869  
the course of the employer's trade or business. 5870

As used in division (V) of this section, "farm" includes 5871  
stock, dairy, poultry, fruit, fur-bearing animal, and truck 5872  
farms, plantations, ranches, nurseries, ranges, greenhouses, or 5873  
other similar structures used primarily for the raising of 5874  
agricultural or horticultural commodities and orchards. 5875

(W) "Hospital" means an institution which has been	5876
registered or licensed by the Ohio department of health as a	5877
hospital.	5878
(X) "Nonprofit organization" means an organization, or	5879
group of organizations, described in section 501(c)(3) of the	5880
"Internal Revenue Code of 1954," and exempt from income tax	5881
under section 501(a) of that code.	5882
(Y) "Institution of higher education" means a public or	5883
nonprofit educational institution, including an educational	5884
institution operated by an Indian tribe, which:	5885
(1) Admits as regular students only individuals having a	5886
certificate of graduation from a high school, or the recognized	5887
equivalent;	5888
(2) Is legally authorized in this state or by the Indian	5889
tribe to provide a program of education beyond high school; and	5890
(3) Provides an educational program for which it awards a	5891
bachelor's or higher degree, or provides a program which is	5892
acceptable for full credit toward such a degree, a program of	5893
post-graduate or post-doctoral studies, or a program of training	5894
to prepare students for gainful employment in a recognized	5895
occupation.	5896
For the purposes of this division, all colleges and	5897
universities in this state are institutions of higher education.	5898
(Z) For the purposes of this chapter, "states" includes	5899
the District of Columbia, the Commonwealth of Puerto Rico, and	5900
the Virgin Islands.	5901
(AA) "Alien" means, for the purposes of division (A)(1)(d)	5902
of this section, an individual who is an alien admitted to the	5903

United States to perform service in agricultural labor pursuant 5904  
to sections 214 (c) and 101 (a) (15) (H) of the "Immigration and 5905  
Nationality Act," 66 Stat. 163, 8 U.S.C.A. 1101. 5906

(BB) (1) "Crew leader" means an individual who furnishes 5907  
individuals to perform agricultural labor for any other employer 5908  
or farm operator, and: 5909

(a) Pays, either on the individual's own behalf or on 5910  
behalf of the other employer or farm operator, the individuals 5911  
so furnished by the individual for the service in agricultural 5912  
labor performed by them; 5913

(b) Has not entered into a written agreement with the 5914  
other employer or farm operator under which the agricultural 5915  
worker is designated as in the employ of the other employer or 5916  
farm operator. 5917

(2) For the purposes of this chapter, any individual who 5918  
is a member of a crew furnished by a crew leader to perform 5919  
service in agricultural labor for any other employer or farm 5920  
operator shall be treated as an employee of the crew leader if: 5921

(a) The crew leader holds a valid certificate of 5922  
registration under the "Farm Labor Contractor Registration Act 5923  
of 1963," 90 Stat. 2668, 7 U.S.C. 2041; or 5924

(b) Substantially all the members of the crew operate or 5925  
maintain tractors, mechanized harvesting or crop-dusting 5926  
equipment, or any other mechanized equipment, which is provided 5927  
by the crew leader; and 5928

(c) If the individual is not in the employment of the 5929  
other employer or farm operator within the meaning of division 5930  
(B) (1) of this section. 5931

(3) For the purposes of this division, any individual who is furnished by a crew leader to perform service in agricultural labor for any other employer or farm operator and who is not treated as in the employment of the crew leader under division (BB) (2) of this section shall be treated as the employee of the other employer or farm operator and not of the crew leader. The other employer or farm operator shall be treated as having paid cash remuneration to the individual in an amount equal to the amount of cash remuneration paid to the individual by the crew leader, either on the crew leader's own behalf or on behalf of the other employer or farm operator, for the service in agricultural labor performed for the other employer or farm operator.

(CC) "Educational institution" means an institution other than an institution of higher education as defined in division (Y) of this section, including an educational institution operated by an Indian tribe, which:

(1) Offers participants, trainees, or students an organized course of study or training designed to transfer to them knowledge, skills, information, doctrines, attitudes, or abilities from, by, or under the guidance of an instructor or teacher; and

(2) Is approved, chartered, or issued a permit to operate as a school by the ~~state board~~ director of education and workforce, other government agency, or Indian tribe that is authorized within the state to approve, charter, or issue a permit for the operation of a school.

For the purposes of this division, the courses of study or training which the institution offers may be academic, technical, trade, or preparation for gainful employment in a

recognized occupation.	5962
(DD) "Cost savings day" means any unpaid day off from work	5963
in which employees continue to accrue employee benefits which	5964
have a determinable value including, but not limited to,	5965
vacation, pension contribution, sick time, and life and health	5966
insurance.	5967
(EE) "Motor carrier" has the same meaning as in section	5968
4923.01 of the Revised Code. "	5969
Delete lines 56509 through 56564	5970
After line 56564, insert:	5971
<b>"Sec. 4508.01.</b> As used in this chapter:	5972
(A) "Beginning driver" means any person being trained to	5973
drive a particular motor vehicle who has not been previously	5974
licensed to drive that motor vehicle by any state or country.	5975
(B) "Person with a disability" means a person who, in the	5976
opinion of the registrar of motor vehicles, has a physical or	5977
mental disability or disease that prevents the person, in the	5978
absence of special training or equipment, from exercising	5979
reasonable and ordinary control over a motor vehicle while	5980
operating the vehicle upon the highways. "Person with a	5981
disability" does not mean any person who is or has been subject	5982
to any condition resulting in episodic impairment of	5983
consciousness or loss of muscular control and whose condition,	5984
in the opinion of the registrar, is dormant or is sufficiently	5985
under medical control that the person is capable of exercising	5986
reasonable and ordinary control over a motor vehicle.	5987
(C) "Driver training school" or "school" means any of the	5988
following:	5989

(1) A private business enterprise conducted by an individual, association, partnership, or corporation for the education and training of persons to operate or drive motor vehicles, that does any of the following:	5990 5991 5992 5993
(a) Uses public streets or highways to provide training and charges a consideration or tuition for such services;	5994 5995
(b) Provides an online driver education course approved by the director of public safety pursuant to division (A)(2) of section 4508.02 of the Revised Code and charges a consideration or tuition for the course;	5996 5997 5998 5999
(c) Provides an abbreviated driver training course for adults that is approved by the director pursuant to division (F) of section 4508.02 of the Revised Code and charges a consideration or tuition for the course.	6000 6001 6002 6003
(2) A lead school district as provided in section 4508.09 of the Revised Code;	6004 6005
(3) A board of education of a city, exempted village, local, or joint vocational school district or the governing board of an educational service center that offers a driver education course for high school students enrolled in the district or in a district served by the educational service center.	6006 6007 6008 6009 6010 6011
(D) "Instructor" means any person, whether acting for self as operator of a driver training school or for such a school for compensation, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.	6012 6013 6014 6015 6016
(E) "Lead school district" means a school district,	6017



including a joint vocational school district, designated by the 6018  
department of education and workforce as either a vocational 6019  
education planning district itself or as responsible for 6020  
providing primary vocational education leadership within a 6021  
vocational education planning district that is composed of a 6022  
group of districts. A "vocational education planning district" 6023  
is a school district or group of school districts designated by 6024  
the department as responsible for planning and providing 6025  
vocational education services to students within the district or 6026  
group of districts." 6027

Delete lines 56565 through 57149 6028

After line 57149, insert: 6029

**"Sec. 4511.21.** (A) No person shall operate a motor 6030  
vehicle, trackless trolley, or streetcar at a speed greater or 6031  
less than is reasonable or proper, having due regard to the 6032  
traffic, surface, and width of the street or highway and any 6033  
other conditions, and no person shall drive any motor vehicle, 6034  
trackless trolley, or streetcar in and upon any street or 6035  
highway at a greater speed than will permit the person to bring 6036  
it to a stop within the assured clear distance ahead. 6037

(B) It is prima-facie lawful, in the absence of a lower 6038  
limit declared or established pursuant to this section by the 6039  
director of transportation or local authorities, for the 6040  
operator of a motor vehicle, trackless trolley, or streetcar to 6041  
operate the same at a speed not exceeding the following: 6042

(1) (a) Twenty miles per hour in school zones during school 6043  
recess and while children are going to or leaving school during 6044  
the opening or closing hours, and when twenty miles per hour 6045  
school speed limit signs are erected; except that, on 6046

controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B)(10) and (11) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means all of the following:

(i) Any school chartered under section 3301.16 of the Revised Code;

(ii) Any nonchartered school that during the preceding year filed with the department of education and workforce in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone;

(iii) Any special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location

by erecting the appropriate signs. 6077

(iv) Any preschool education program operated by an 6078  
educational service center that is located on a street or 6079  
highway with a speed limit of forty-five miles per hour or more, 6080  
when the educational service center in writing requests that the 6081  
county engineer of the county in which the program is located 6082  
create a school zone at the location of that program. Upon 6083  
receipt of such a written request, the county engineer shall 6084  
create a school zone at that location by erecting the 6085  
appropriate signs. 6086

(c) As used in this section, "school zone" means that 6087  
portion of a street or highway passing a school fronting upon 6088  
the street or highway that is encompassed by projecting the 6089  
school property lines to the fronting street or highway, and 6090  
also includes that portion of a state highway. Upon request from 6091  
local authorities for streets and highways under their 6092  
jurisdiction and that portion of a state highway under the 6093  
jurisdiction of the director of transportation or a request from 6094  
a county engineer in the case of a school zone for a special 6095  
elementary school, the director may extend the traditional 6096  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 6097  
(ii), and (iii) of this section shall not exceed three hundred 6098  
feet per approach per direction and are bounded by whichever of 6099  
the following distances or combinations thereof the director 6100  
approves as most appropriate: 6101

(i) The distance encompassed by projecting the school 6102  
building lines normal to the fronting highway and extending a 6103  
distance of three hundred feet on each approach direction; 6104

(ii) The distance encompassed by projecting the school 6105  
property lines intersecting the fronting highway and extending a 6106

distance of three hundred feet on each approach direction; 6107

(iii) The distance encompassed by the special marking of 6108  
the pavement for a principal school pupil crosswalk plus a 6109  
distance of three hundred feet on each approach direction of the 6110  
highway. 6111

Nothing in this section shall be construed to invalidate 6112  
the director's initial action on August 9, 1976, establishing 6113  
all school zones at the traditional school zone boundaries 6114  
defined by projecting school property lines, except when those 6115  
boundaries are extended as provided in divisions (B) (1) (a) and 6116  
(c) of this section. 6117

(d) As used in this division, "crosswalk" has the meaning 6118  
given that term in division (LL) (2) of section 4511.01 of the 6119  
Revised Code. 6120

The director may, upon request by resolution of the 6121  
legislative authority of a municipal corporation, the board of 6122  
trustees of a township, or a county board of developmental 6123  
disabilities created pursuant to Chapter 5126. of the Revised 6124  
Code, and upon submission by the municipal corporation, 6125  
township, or county board of such engineering, traffic, and 6126  
other information as the director considers necessary, designate 6127  
a school zone on any portion of a state route lying within the 6128  
municipal corporation, lying within the unincorporated territory 6129  
of the township, or lying adjacent to the property of a school 6130  
that is operated by such county board, that includes a crosswalk 6131  
customarily used by children going to or leaving a school during 6132  
recess and opening and closing hours, whenever the distance, as 6133  
measured in a straight line, from the school property line 6134  
nearest the crosswalk to the nearest point of the crosswalk is 6135  
no more than one thousand three hundred twenty feet. Such a 6136

school zone shall include the distance encompassed by the 6137  
crosswalk and extending three hundred feet on each approach 6138  
direction of the state route. 6139

(e) As used in this section, "special elementary school" 6140  
means a school that meets all of the following criteria: 6141

(i) It is not chartered and does not receive tax revenue 6142  
from any source. 6143

(ii) It does not educate children beyond the eighth grade. 6144

(iii) It is located outside the limits of a municipal 6145  
corporation. 6146

(iv) A majority of the total number of students enrolled 6147  
at the school are not related by blood. 6148

(v) The principal or other person in charge of the special 6149  
elementary school annually sends a report to the superintendent 6150  
of the school district in which the special elementary school is 6151  
located indicating the total number of students enrolled at the 6152  
school, but otherwise the principal or other person in charge 6153  
does not report any other information or data to the 6154  
superintendent. 6155

(2) Twenty-five miles per hour in all other portions of a 6156  
municipal corporation, except on state routes outside business 6157  
districts, through highways outside business districts, and 6158  
alleys; 6159

(3) Thirty-five miles per hour on all state routes or 6160  
through highways within municipal corporations outside business 6161  
districts, except as provided in divisions (B) (4) and (6) of 6162  
this section; 6163

(4) Fifty miles per hour on controlled-access highways and 6164

expressways within municipal corporations, except as provided in	6165
divisions (B) (12), (13), (14), (15), and (16) of this section;	6166
(5) Fifty-five miles per hour on highways outside	6167
municipal corporations, other than highways within island	6168
jurisdictions as provided in division (B) (8) of this section,	6169
highways as provided in divisions (B) (9) and (10) of this	6170
section, and highways, expressways, and freeways as provided in	6171
divisions (B) (12), (13), (14), and (16) of this section;	6172
(6) Fifty miles per hour on state routes within municipal	6173
corporations outside urban districts unless a lower prima-facie	6174
speed is established as further provided in this section;	6175
(7) Fifteen miles per hour on all alleys within the	6176
municipal corporation;	6177
(8) Thirty-five miles per hour on highways outside	6178
municipal corporations that are within an island jurisdiction;	6179
(9) Thirty-five miles per hour on through highways, except	6180
state routes, that are outside municipal corporations and that	6181
are within a national park with boundaries extending through two	6182
or more counties;	6183
(10) Sixty miles per hour on two-lane state routes outside	6184
municipal corporations as established by the director under	6185
division (H) (2) of this section;	6186
(11) Fifty-five miles per hour on freeways with paved	6187
shoulders inside municipal corporations, other than freeways as	6188
provided in divisions (B) (14) and (16) of this section;	6189
(12) Sixty miles per hour on rural expressways with	6190
traffic control signals and on all portions of rural divided	6191
highways, except as provided in divisions (B) (13) and (14) of	6192

this section;	6193
(13) Sixty-five miles per hour on all rural expressways	6194
without traffic control signals;	6195
(14) Seventy miles per hour on all rural freeways;	6196
(15) Fifty-five miles per hour on all portions of freeways	6197
or expressways in congested areas as determined by the director	6198
and that are located within a municipal corporation or within an	6199
interstate freeway outerbelt, except as provided in division (B)	6200
(16) of this section;	6201
(16) Sixty-five miles per hour on all portions of freeways	6202
or expressways without traffic control signals in urbanized	6203
areas.	6204
(C) It is prima-facie unlawful for any person to exceed	6205
any of the speed limitations in divisions (B) (1) (a), (2), (3),	6206
(4), (6), (7), (8), and (9) of this section, or any declared or	6207
established pursuant to this section by the director or local	6208
authorities and it is unlawful for any person to exceed any of	6209
the speed limitations in division (D) of this section. No person	6210
shall be convicted of more than one violation of this section	6211
for the same conduct, although violations of more than one	6212
provision of this section may be charged in the alternative in a	6213
single affidavit.	6214
(D) No person shall operate a motor vehicle, trackless	6215
trolley, or streetcar upon a street or highway as follows:	6216
(1) At a speed exceeding fifty-five miles per hour, except	6217
upon a two-lane state route as provided in division (B) (10) of	6218
this section and upon a highway, expressway, or freeway as	6219
provided in divisions (B) (12), (13), (14), and (16) of this	6220

section; 6221

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B) (10) of this section and upon a highway as provided in division (B) (12) of this section; 6222  
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(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B) (13) or upon a freeway as provided in division (B) (16) of this section, except upon a freeway as provided in division (B) (14) of this section; 6226  
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(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B) (14) of this section; 6230  
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(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I) (2) or (L) (2) of this section. 6232  
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(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven. 6236  
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(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D) of this section is 6248  
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alleged, the defendant shall be charged in a single affidavit, 6250  
alleging a single act, with a violation indicated of both 6251  
division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this 6252  
section, or of a limit declared or established pursuant to this 6253  
section by the director or local authorities, and of the 6254  
limitation in division (D) of this section. If the court finds a 6255  
violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), 6256  
or (9) of, or a limit declared or established pursuant to, this 6257  
section has occurred, it shall enter a judgment of conviction 6258  
under such division and dismiss the charge under division (D) of 6259  
this section. If it finds no violation of division (B)(1)(a), 6260  
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 6261  
established pursuant to, this section, it shall then consider 6262  
whether the evidence supports a conviction under division (D) of 6263  
this section. 6264

(G) Points shall be assessed for violation of a limitation 6265  
under division (D) of this section in accordance with section 6266  
4510.036 of the Revised Code. 6267

(H)(1) Whenever the director determines upon the basis of 6268  
criteria established by an engineering study, as defined by the 6269  
director, that any speed limit set forth in divisions (B)(1)(a) 6270  
to (D) of this section is greater or less than is reasonable or 6271  
safe under the conditions found to exist at any portion of a 6272  
street or highway under the jurisdiction of the director, the 6273  
director shall determine and declare a reasonable and safe 6274  
prima-facie speed limit, which shall be effective when 6275  
appropriate signs giving notice of it are erected at the 6276  
location. 6277

(2) Whenever the director determines upon the basis of 6278  
criteria established by an engineering study, as defined by the 6279

director, that the speed limit of fifty-five miles per hour on a two-lane state route outside a municipal corporation is less than is reasonable or safe under the conditions found to exist at that portion of the state route, the director may determine and declare a speed limit of sixty miles per hour for that portion of the state route, which shall be effective when appropriate signs giving notice of it are erected at the location.

(3) (a) For purposes of the safe and orderly movement of traffic upon any portion of a street or highway under the jurisdiction of the director, the director may establish a variable speed limit that is different than the speed limit established by or under this section on all or portions of interstate six hundred seventy, interstate two hundred seventy-five, and interstate ninety commencing at the intersection of that interstate with interstate seventy-one and continuing to the border of the state of Ohio with the state of Pennsylvania. The director shall establish criteria for determining the appropriate use of variable speed limits and shall establish variable speed limits in accordance with the criteria. The director may establish variable speed limits based upon the time of day, weather conditions, traffic incidents, or other factors that affect the safe speed on a street or highway. The director shall not establish a variable speed limit that is based on a particular type or class of vehicle. A variable speed limit established by the director under this section is effective when appropriate signs giving notice of the speed limit are displayed at the location.

(b) Except for variable speed limits established under division (H) (3) (a) of this section, the director shall establish a variable speed limit under the authority granted to the

director by this section on not more than two additional 6311  
highways and only pursuant to criteria established in rules 6312  
adopted in accordance with Chapter 119. of the Revised Code. The 6313  
rules shall be based on the criteria described in division (H) 6314  
(3) (a) of this section. The rules also shall establish the 6315  
parameters of any engineering study necessary for determining 6316  
when variable speed limits are appropriate. 6317

(4) Nothing in this section shall be construed to limit 6318  
the authority of the director to establish speed limits within a 6319  
construction zone as authorized under section 4511.98 of the 6320  
Revised Code. 6321

(I) (1) Except as provided in divisions (I) (2), (J), (K), 6322  
and (N) of this section, whenever local authorities determine 6323  
upon the basis of criteria established by an engineering study, 6324  
as defined by the director, that the speed permitted by 6325  
divisions (B) (1) (a) to (D) of this section, on any part of a 6326  
highway under their jurisdiction, is greater than is reasonable 6327  
and safe under the conditions found to exist at such location, 6328  
the local authorities may by resolution request the director to 6329  
determine and declare a reasonable and safe prima-facie speed 6330  
limit. Upon receipt of such request the director may determine 6331  
and declare a reasonable and safe prima-facie speed limit at 6332  
such location, and if the director does so, then such declared 6333  
speed limit shall become effective only when appropriate signs 6334  
giving notice thereof are erected at such location by the local 6335  
authorities. The director may withdraw the declaration of a 6336  
prima-facie speed limit whenever in the director's opinion the 6337  
altered prima-facie speed limit becomes unreasonable. Upon such 6338  
withdrawal, the declared prima-facie speed limit shall become 6339  
ineffective and the signs relating thereto shall be immediately 6340  
removed by the local authorities. 6341

(2) A local authority may determine on the basis of 6342  
criteria established by an engineering study, as defined by the 6343  
director, that the speed limit of sixty-five or seventy miles 6344  
per hour on a portion of a freeway under its jurisdiction is 6345  
greater than is reasonable or safe under the conditions found to 6346  
exist at that portion of the freeway. If the local authority 6347  
makes such a determination, the local authority by resolution 6348  
may request the director to determine and declare a reasonable 6349  
and safe speed limit of not less than fifty-five miles per hour 6350  
for that portion of the freeway. If the director takes such 6351  
action, the declared speed limit becomes effective only when 6352  
appropriate signs giving notice of it are erected at such 6353  
location by the local authority. 6354

(J) Local authorities in their respective jurisdictions 6355  
may authorize by ordinance higher prima-facie speeds than those 6356  
stated in this section upon through highways, or upon highways 6357  
or portions thereof where there are no intersections, or between 6358  
widely spaced intersections, provided signs are erected giving 6359  
notice of the authorized speed, but local authorities shall not 6360  
modify or alter the basic rule set forth in division (A) of this 6361  
section or in any event authorize by ordinance a speed in excess 6362  
of the maximum speed permitted by division (D) of this section 6363  
for the specified type of highway. 6364

Alteration of prima-facie limits on state routes by local 6365  
authorities shall not be effective until the alteration has been 6366  
approved by the director. The director may withdraw approval of 6367  
any altered prima-facie speed limits whenever in the director's 6368  
opinion any altered prima-facie speed becomes unreasonable, and 6369  
upon such withdrawal, the altered prima-facie speed shall become 6370  
ineffective and the signs relating thereto shall be immediately 6371  
removed by the local authorities. 6372

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 6373  
this section, "unimproved highway" means a highway consisting of 6374  
any of the following: 6375

(a) Unimproved earth; 6376

(b) Unimproved graded and drained earth; 6377

(c) Gravel. 6378

(2) Except as otherwise provided in divisions (K) (4) and 6379  
(5) of this section, whenever a board of township trustees 6380  
determines upon the basis of criteria established by an 6381  
engineering study, as defined by the director, that the speed 6382  
permitted by division (B) (5) of this section on any part of an 6383  
unimproved highway under its jurisdiction and in the 6384  
unincorporated territory of the township is greater than is 6385  
reasonable or safe under the conditions found to exist at the 6386  
location, the board may by resolution declare a reasonable and 6387  
safe prima-facie speed limit of fifty-five but not less than 6388  
twenty-five miles per hour. An altered speed limit adopted by a 6389  
board of township trustees under this division becomes effective 6390  
when appropriate traffic control devices, as prescribed in 6391  
section 4511.11 of the Revised Code, giving notice thereof are 6392  
erected at the location, which shall be no sooner than sixty 6393  
days after adoption of the resolution. 6394

(3) (a) Whenever, in the opinion of a board of township 6395  
trustees, any altered prima-facie speed limit established by the 6396  
board under this division becomes unreasonable, the board may 6397  
adopt a resolution withdrawing the altered prima-facie speed 6398  
limit. Upon the adoption of such a resolution, the altered 6399  
prima-facie speed limit becomes ineffective and the traffic 6400  
control devices relating thereto shall be immediately removed. 6401

(b) Whenever a highway ceases to be an unimproved highway 6402  
and the board has adopted an altered prima-facie speed limit 6403  
pursuant to division (K) (2) of this section, the board shall, by 6404  
resolution, withdraw the altered prima-facie speed limit as soon 6405  
as the highway ceases to be unimproved. Upon the adoption of 6406  
such a resolution, the altered prima-facie speed limit becomes 6407  
ineffective and the traffic control devices relating thereto 6408  
shall be immediately removed. 6409

(4) (a) If the boundary of two townships rests on the 6410  
centerline of an unimproved highway in unincorporated territory 6411  
and both townships have jurisdiction over the highway, neither 6412  
of the boards of township trustees of such townships may declare 6413  
an altered prima-facie speed limit pursuant to division (K) (2) 6414  
of this section on the part of the highway under their joint 6415  
jurisdiction unless the boards of township trustees of both of 6416  
the townships determine, upon the basis of criteria established 6417  
by an engineering study, as defined by the director, that the 6418  
speed permitted by division (B) (5) of this section is greater 6419  
than is reasonable or safe under the conditions found to exist 6420  
at the location and both boards agree upon a reasonable and safe 6421  
prima-facie speed limit of less than fifty-five but not less 6422  
than twenty-five miles per hour for that location. If both 6423  
boards so agree, each shall follow the procedure specified in 6424  
division (K) (2) of this section for altering the prima-facie 6425  
speed limit on the highway. Except as otherwise provided in 6426  
division (K) (4) (b) of this section, no speed limit altered 6427  
pursuant to division (K) (4) (a) of this section may be withdrawn 6428  
unless the boards of township trustees of both townships 6429  
determine that the altered prima-facie speed limit previously 6430  
adopted becomes unreasonable and each board adopts a resolution 6431  
withdrawing the altered prima-facie speed limit pursuant to the 6432

procedure specified in division (K) (3) (a) of this section. 6433

(b) Whenever a highway described in division (K) (4) (a) of 6434  
this section ceases to be an unimproved highway and two boards 6435  
of township trustees have adopted an altered prima-facie speed 6436  
limit pursuant to division (K) (4) (a) of this section, both 6437  
boards shall, by resolution, withdraw the altered prima-facie 6438  
speed limit as soon as the highway ceases to be unimproved. Upon 6439  
the adoption of the resolution, the altered prima-facie speed 6440  
limit becomes ineffective and the traffic control devices 6441  
relating thereto shall be immediately removed. 6442

(5) As used in division (K) (5) of this section: 6443

(a) "Commercial subdivision" means any platted territory 6444  
outside the limits of a municipal corporation and fronting a 6445  
highway where, for a distance of three hundred feet or more, the 6446  
frontage is improved with buildings in use for commercial 6447  
purposes, or where the entire length of the highway is less than 6448  
three hundred feet long and the frontage is improved with 6449  
buildings in use for commercial purposes. 6450

(b) "Residential subdivision" means any platted territory 6451  
outside the limits of a municipal corporation and fronting a 6452  
highway, where, for a distance of three hundred feet or more, 6453  
the frontage is improved with residences or residences and 6454  
buildings in use for business, or where the entire length of the 6455  
highway is less than three hundred feet long and the frontage is 6456  
improved with residences or residences and buildings in use for 6457  
business. 6458

Whenever a board of township trustees finds upon the basis 6459  
of criteria established by an engineering study, as defined by 6460  
the director, that the prima-facie speed permitted by division 6461

(B) (5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to vehicles on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered speed limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie speed, and upon such withdrawal, the altered prima-facie speed shall become ineffective, and the signs relating thereto shall be immediately removed by the township.

(L) (1) The director of transportation, based upon an engineering study, as defined by the director, of a highway, expressway, or freeway described in division (B) (12), (13), (14), (15), or (16) of this section, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, may determine and declare that the speed limit established on such highway, expressway, or freeway under division (B) (12), (13), (14), (15), or (16) of this section either is reasonable and safe or is more or less than that which is reasonable and safe.



(2) If the established speed limit for a highway, 6493  
expressway, or freeway studied pursuant to division (L)(1) of 6494  
this section is determined to be more or less than that which is 6495  
reasonable and safe, the director of transportation, in 6496  
consultation with the director of public safety and, if 6497  
applicable, the local authority having jurisdiction over the 6498  
studied highway, expressway, or freeway, shall determine and 6499  
declare a reasonable and safe speed limit for that highway, 6500  
expressway, or freeway. 6501

(M)(1)(a) If the boundary of two local authorities rests 6502  
on the centerline of a highway and both authorities have 6503  
jurisdiction over the highway, the speed limit for the part of 6504  
the highway within their joint jurisdiction shall be either one 6505  
of the following as agreed to by both authorities: 6506

(i) Either prima-facie speed limit permitted by division 6507  
(B) of this section; 6508

(ii) An altered speed limit determined and posted in 6509  
accordance with this section. 6510

(b) If the local authorities are unable to reach an 6511  
agreement, the speed limit shall remain as established and 6512  
posted under this section. 6513

(2) Neither local authority may declare an altered prima- 6514  
facie speed limit pursuant to this section on the part of the 6515  
highway under their joint jurisdiction unless both of the local 6516  
authorities determine, upon the basis of criteria established by 6517  
an engineering study, as defined by the director, that the speed 6518  
permitted by this section is greater than is reasonable or safe 6519  
under the conditions found to exist at the location and both 6520  
authorities agree upon a uniform reasonable and safe prima-facie 6521

speed limit of less than fifty-five but not less than twenty- 6522  
five miles per hour for that location. If both authorities so 6523  
agree, each shall follow the procedure specified in this section 6524  
for altering the prima-facie speed limit on the highway, and the 6525  
speed limit for the part of the highway within their joint 6526  
jurisdiction shall be uniformly altered. No altered speed limit 6527  
may be withdrawn unless both local authorities determine that 6528  
the altered prima-facie speed limit previously adopted becomes 6529  
unreasonable and each adopts a resolution withdrawing the 6530  
altered prima-facie speed limit pursuant to the procedure 6531  
specified in this section. 6532

(N) The legislative authority of a municipal corporation 6533  
or township in which a boarding school is located, by resolution 6534  
or ordinance, may establish a boarding school zone. The 6535  
legislative authority may alter the speed limit on any street or 6536  
highway within the boarding school zone and shall specify the 6537  
hours during which the altered speed limit is in effect. For 6538  
purposes of determining the boundaries of the boarding school 6539  
zone, the altered speed limit within the boarding school zone, 6540  
and the hours the altered speed limit is in effect, the 6541  
legislative authority shall consult with the administration of 6542  
the boarding school and with the county engineer or other 6543  
appropriate engineer, as applicable. A boarding school zone 6544  
speed limit becomes effective only when appropriate signs giving 6545  
notice thereof are erected at the appropriate locations. 6546

(O) As used in this section: 6547

(1) "Interstate system" has the same meaning as in 23 6548  
U.S.C. 101. 6549

(2) "Commercial bus" means a motor vehicle designed for 6550  
carrying more than nine passengers and used for the 6551

transportation of persons for compensation.	6552
(3) "Noncommercial bus" includes but is not limited to a	6553
school bus or a motor vehicle operated solely for the	6554
transportation of persons associated with a charitable or	6555
nonprofit organization.	6556
(4) "Outerbelt" means a portion of a freeway that is part	6557
of the interstate system and is located in the outer vicinity of	6558
a major municipal corporation or group of municipal	6559
corporations, as designated by the director.	6560
(5) "Rural" means an area outside urbanized areas and	6561
outside of a business or urban district, and areas that extend	6562
within urbanized areas where the roadway characteristics remain	6563
mostly unchanged from those outside the urbanized areas.	6564
(6) "Urbanized area" has the same meaning as in 23 U.S.C.	6565
101.	6566
(7) "Divided" means a roadway having two or more travel	6567
lanes for vehicles moving in opposite directions and that is	6568
separated by a median of more than four feet, excluding turn	6569
lanes.	6570
(P) (1) A violation of any provision of this section is one	6571
of the following:	6572
(a) Except as otherwise provided in divisions (P) (1) (b),	6573
(1) (c), (2), and (3) of this section, a minor misdemeanor;	6574
(b) If, within one year of the offense, the offender	6575
previously has been convicted of or pleaded guilty to two	6576
violations of any provision of this section or of any provision	6577
of a municipal ordinance that is substantially similar to any	6578
provision of this section, a misdemeanor of the fourth degree;	6579

(c) If, within one year of the offense, the offender  
previously has been convicted of or pleaded guilty to three or  
more violations of any provision of this section or of any  
provision of a municipal ordinance that is substantially similar  
to any provision of this section, a misdemeanor of the third  
degree.

(2) If the offender operated a motor vehicle faster than  
thirty-five miles an hour in a business district of a municipal  
corporation, faster than fifty miles an hour in other portions  
of a municipal corporation, or faster than thirty-five miles an  
hour in a school zone during recess or while children are going  
to or leaving school during the school's opening or closing  
hours, a misdemeanor of the fourth degree. Division (P) (2) of  
this section does not apply if penalties may be imposed under  
division (P) (1) (b) or (c) of this section.

(3) Notwithstanding division (P) (1) of this section, if  
the offender operated a motor vehicle in a construction zone  
where a sign was then posted in accordance with section 4511.98  
of the Revised Code, the court, in addition to all other  
penalties provided by law, shall impose upon the offender a fine  
of two times the usual amount imposed for the violation. No  
court shall impose a fine of two times the usual amount imposed  
for the violation upon an offender if the offender alleges, in  
an affidavit filed with the court prior to the offender's  
sentencing, that the offender is indigent and is unable to pay  
the fine imposed pursuant to this division and if the court  
determines that the offender is an indigent person and unable to  
pay the fine.

(4) If the offender commits the offense while distracted  
and the distracting activity is a contributing factor to the

commission of the offense, the offender is subject to the 6610  
additional fine established under section 4511.991 of the 6611  
Revised Code." 6612

Delete lines 57347 through 57436 6613

After line 57436, insert: 6614

**"Sec. 4709.10.** (A) Each person who desires to obtain a 6615  
license to operate a barber school shall apply to the state 6616  
cosmetology and barber board, on forms provided by the board. 6617  
The board shall issue a barber school license to a person if the 6618  
board determines that the person meets and will comply with all 6619  
of the requirements of division (B) of this section and pays the 6620  
required licensure and inspection fees. 6621

(B) In order for a person to qualify for a license to 6622  
operate a barber school, the barber school to be operated by the 6623  
person must meet all of the following requirements: 6624

(1) Have a training facility sufficient to meet the 6625  
required educational curriculum established by the board, 6626  
including enough space to accommodate all the facilities and 6627  
equipment required by rule by the board; 6628

(2) Provide sufficient licensed teaching personnel to meet 6629  
the minimum pupil-teacher ratio established by rule of the 6630  
board; 6631

(3) Have established and provide to the board proof that 6632  
it has met all of the board requirements to operate a barber 6633  
school, as adopted by rule of the board; 6634

(4) File with the board a program of its curriculum, 6635  
accounting for not less than one thousand eight hundred hours of 6636  
instruction in the courses of theory and practical demonstration 6637

required by rule of the board; 6638

(5) File with the board a surety bond in the amount of ten 6639  
thousand dollars issued by a bonding company licensed to do 6640  
business in this state. The bond shall be in the form prescribed 6641  
by the board and conditioned upon the barber school's continued 6642  
instruction in the theory and practice of barbering. The bond 6643  
shall continue in effect until notice of its termination is 6644  
provided to the board. In no event, however, shall the bond be 6645  
terminated while the barber school is in operation. Any student 6646  
who is injured or damaged by reason of a barber school's failure 6647  
to continue instruction in the theory and practice of barbering 6648  
may maintain an action on the bond against the barber school or 6649  
the surety, or both, for the recovery of any money or tuition 6650  
paid in advance for instruction in the theory and practice of 6651  
barbering which was not received. The aggregate liability of the 6652  
surety to all students shall not exceed the sum of the bond. 6653

(6) Maintain adequate record keeping to ensure that it has 6654  
met the requirements for records of student progress as required 6655  
by board rule; 6656

(7) Establish minimum standards for acceptance of student 6657  
applicants for admission to the barber school. The barber school 6658  
may establish entrance requirements which are more stringent 6659  
than those prescribed by the board, but the requirements must at 6660  
a minimum require the applicant to meet both of the following: 6661

(a) Be at least seventeen years of age; 6662

(b) Have an eighth grade education, or an equivalent 6663  
education as determined by the ~~state board~~ department of 6664  
education and workforce. 6665

(8) Have a procedure to submit every student applicant's 6666

admission application to the board for the board's review and 6667  
approval prior to the applicant's admission to the barber 6668  
school; 6669

(9) Operate in a manner which reflects credit upon the 6670  
barbering profession; 6671

(10) Offer a curriculum of study which covers all aspects 6672  
of the scientific fundamentals of barbering as specified by rule 6673  
of the board; 6674

(11) Employ no more than two licensed assistant barber 6675  
teachers for each licensed barber teacher employed or fewer than 6676  
two licensed teachers or one licensed teacher and one licensed 6677  
assistant teacher at each facility. 6678

(C) Each person who desires to obtain a barber teacher or 6679  
assistant barber teacher license shall apply to the board, on 6680  
forms provided by the board. The board shall only issue a barber 6681  
teacher license to a person who meets all of the following 6682  
requirements: 6683

(1) Holds a current barber license issued pursuant to this 6684  
chapter and has at least eighteen months of work experience in a 6685  
licensed barber shop or has been employed as an assistant barber 6686  
teacher under the supervision of a licensed barber teacher for 6687  
at least one year, unless, for good cause, the board waives this 6688  
requirement; 6689

(2) Meets such other requirements as adopted by rule by 6690  
the board; 6691

(3) Passes the required examination; and 6692

(4) Pays the required fees. 6693

The board shall only issue an assistant barber teacher 6694

license to a person who holds a current barber license issued 6695  
pursuant to this chapter and pays the required fees. 6696

(D) Any person who meets the qualifications of an 6697  
assistant teacher pursuant to division (C) of this section, may 6698  
be employed as an assistant teacher, provided that within five 6699  
days after the commencement of the employment the barber school 6700  
submits to the board, on forms provided by the board, the 6701  
applicant's qualifications. " 6702

Delete lines 57536 through 57614 6703

After line 57614, insert: 6704

**"Sec. 4732.10.** (A) The state board of psychology shall 6705  
appoint an entrance examiner who shall determine the sufficiency 6706  
of an applicant's qualifications for admission to the 6707  
appropriate examination. A member of the board or the executive 6708  
director may be appointed as the entrance examiner. 6709

(B) Requirements for admission to examination for a 6710  
psychologist license shall be that the applicant: 6711

(1) Is at least twenty-one years of age; 6712

(2) Meets one of the following requirements: 6713

(a) Received an earned doctoral degree from an institution 6714  
accredited or recognized by a national or regional accrediting 6715  
agency and a program accredited by any of the following: 6716

(i) The American psychological association, office of 6717  
program consultation and accreditation; 6718

(ii) The accreditation office of the Canadian 6719  
psychological association; 6720

(iii) A program listed by the association of state and 6721



provincial psychology boards/national register designation	6722
committee;	6723
(iv) The national association of school psychologists.	6724
(b) Received an earned doctoral degree in psychology or	6725
school psychology from an institution accredited or recognized	6726
by a national or regional accrediting agency but the program	6727
does not meet the program accreditation requirements of division	6728
(B) (2) (a) of this section;	6729
(c) Received from an academic institution outside of the	6730
United States or Canada a degree determined, under rules adopted	6731
by the board under division (F) of this section, to be	6732
equivalent to a doctoral degree in psychology from a program	6733
described in division (B) (2) (a) of this section;	6734
(d) Held a psychologist license, certificate, or	6735
registration required for practice in another United States or	6736
Canadian jurisdiction for a minimum of ten years and meets	6737
educational, experience, and professional requirements	6738
established under rules adopted by the board.	6739
(3) Has had at least two years of supervised professional	6740
experience in psychological work of a type satisfactory to the	6741
board, at least one year of which must be a predoctoral	6742
internship. The board shall adopt guidelines for the kind of	6743
supervised professional experience that fulfill this	6744
requirement.	6745
(4) If applying under division (B) (2) (b) or (c) of this	6746
section, has had at least two years of supervised professional	6747
experience in psychological work of a type satisfactory to the	6748
board, at least one year of which must be postdoctoral. The	6749
board shall adopt guidelines for the kind of supervised	6750

professional experience that fulfill this requirement. 6751

(C) Requirements for admission to examination for an 6752  
independent school psychologist license shall be that the 6753  
applicant: 6754

(1) Has received from an educational institution 6755  
accredited or recognized by national or regional accrediting 6756  
agencies as maintaining satisfactory standards, including those 6757  
approved by the state board of education for the training of 6758  
independent school psychologists, at least a master's degree in 6759  
school psychology, or a degree considered equivalent by the 6760  
board; 6761

(2) Is at least twenty-one years of age; 6762

(3) Has completed at least sixty quarter hours, or the 6763  
semester hours equivalent, at the graduate level, of accredited 6764  
study in course work relevant to the study of school psychology; 6765

(4) Has completed an internship in an educational 6766  
institution approved by the ~~Ohio~~ department of education and 6767  
workforce for school psychology supervised experience or one 6768  
year of other training experience acceptable to the board, such 6769  
as supervised professional experience under the direction of a 6770  
licensed psychologist, licensed independent school psychologist, 6771  
or licensed school psychologist; 6772

(5) Furnishes proof of at least twenty-seven months, 6773  
exclusive of internship, of full-time experience as a 6774  
certificated school psychologist employed by a board of 6775  
education or a private school meeting the standards prescribed 6776  
by the ~~state board director~~ of education and workforce, or of 6777  
experience that the board deems equivalent. 6778

(D) Requirements for admission to examination for a school psychologist shall be that the applicant:

(1) Has received from an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory standards, including those approved by the state board of education for the training of school psychologists, at least a master's degree in school psychology, or a degree considered equivalent by the board;

(2) Is at least twenty-one years of age;

(3) Has completed a nine month, full-time internship in an approved school setting as described in rules adopted by the board.

(E) If the entrance examiner finds that the applicant meets the requirements set forth in this section, the applicant shall be admitted to the appropriate examination.

(F) The board shall adopt under Chapter 119. of the Revised Code rules for determining for the purposes of division (B) (2) (c) of this section whether a degree is equivalent to a degree in psychology from an institution in the United States."

Delete lines 57615 through 57689

Delete lines 58114 through 58212

After line 58212, insert:

**"Sec. 4757.41.** (A) This chapter shall not apply to the following:

(1) A person certified by the state board of education under Chapter 3319. of the Revised Code while performing any services within the person's scope of employment by a board of

education or by a private school meeting the standards 6806  
prescribed by the ~~state board~~ director of education and 6807  
workforce under division (D) of section 3301.07 of the Revised 6808  
Code or in a program operated under Chapter 5126. of the Revised 6809  
Code for training individuals with developmental disabilities; 6810

(2) Psychologists, independent school psychologists, or 6811  
school psychologists licensed under Chapter 4732. of the Revised 6812  
Code; 6813

(3) Members of other professions licensed, certified, or 6814  
registered by this state while performing services within the 6815  
recognized scope, standards, and ethics of their respective 6816  
professions; 6817

(4) Rabbis, priests, Christian science practitioners, 6818  
clergy, or members of religious orders and other individuals 6819  
participating with them in pastoral counseling when the 6820  
counseling activities are within the scope of the performance of 6821  
their regular or specialized ministerial duties and are 6822  
performed under the auspices or sponsorship of an established 6823  
and legally cognizable church, denomination, or sect or an 6824  
integrated auxiliary of a church as defined in federal tax 6825  
regulations, paragraph (g) (5) of 26 C.F.R. 1.6033-2 (1995), and 6826  
when the individual rendering the service remains accountable to 6827  
the established authority of that church, denomination, sect, or 6828  
integrated auxiliary; 6829

(5) Any person who is not licensed under this chapter as a 6830  
licensed professional clinical counselor, licensed professional 6831  
counselor, independent social worker, or social worker and is 6832  
employed in the civil service as defined in section 124.01 of 6833  
the Revised Code while engaging in professional counseling or 6834  
social work as a civil service employee, if on July 10, 2014, 6835

the person has at least two years of service in that capacity;	6836
(6) A student in an accredited educational institution	6837
while carrying out activities that are part of the student's	6838
prescribed course of study if the activities are supervised as	6839
required by the educational institution and if the student does	6840
not hold herself or himself out as a person licensed or	6841
registered under this chapter;	6842
(7) An individual who holds a license or certificate under	6843
Chapter 4758. of the Revised Code who is acting within the scope	6844
of the individual's license or certificate as a member of the	6845
profession of chemical dependency counseling or prevention	6846
services;	6847
(8) Any person employed by the American red cross while	6848
engaging in activities relating to services for military	6849
families and veterans and disaster relief, as described in the	6850
"American National Red Cross Act," 33 Stat. 599 (1905), 36	6851
U.S.C.A. 1, as amended;	6852
(9) Members of labor organizations who hold union	6853
counselor certificates while performing services in their	6854
official capacity as union counselors;	6855
(10) Any person employed in a hospital as defined in	6856
section 3727.01 of the Revised Code or in a nursing home as	6857
defined in section 3721.01 of the Revised Code while providing	6858
as a hospital employee or nursing home employee, respectively,	6859
social services other than counseling and the use of	6860
psychosocial interventions and social psychotherapy;	6861
(11) A vocational rehabilitation professional who is	6862
providing rehabilitation services to individuals under section	6863
3304.17 of the Revised Code, or holds certification by the	6864

commission on rehabilitation counselor certification and is 6865  
providing rehabilitation counseling services consistent with the 6866  
commission's standards; 6867

(12) A caseworker not licensed under this chapter as an 6868  
independent social worker or social worker who is employed by a 6869  
public children services agency under section 5153.112 of the 6870  
Revised Code. 6871

(B) Divisions (A) (5) and (10) of this section do not 6872  
prevent a person described in those divisions from obtaining a 6873  
license or certificate of registration under this chapter. 6874

(C) Except as provided in divisions (A) and (D) of this 6875  
section, no employee in the service of the state, including 6876  
public employees as defined by Chapter 4117. of the Revised 6877  
Code, shall engage in the practice of professional counseling, 6878  
social work, or marriage and family therapy without the 6879  
appropriate license issued by the board. Failure to comply with 6880  
this division constitutes nonfeasance under section 124.34 of 6881  
the Revised Code or just cause under a collective bargaining 6882  
agreement. Nothing in this division restricts the director of 6883  
administrative services from developing new classifications 6884  
related to this division or from reassigning affected employees 6885  
to appropriate classifications based on the employee's duties 6886  
and qualifications. 6887

(D) Except as provided in division (A) of this section, an 6888  
employee who was engaged in the practice of professional 6889  
counseling, social work, or marriage and family therapy in the 6890  
service of the state prior to July 10, 2014, including public 6891  
employees as defined by Chapter 4117. of the Revised Code, shall 6892  
comply with division (C) of this section within two years after 6893  
July 10, 2014. Any such employee who fails to comply shall be 6894

removed from employment. 6895

(E) Nothing in this chapter prevents a public children 6896  
services agency from employing as a caseworker a person not 6897  
licensed under this chapter as an independent social worker or 6898  
social worker who has the qualifications specified in section 6899  
5153.112 of the Revised Code." 6900

Delete lines 58240 through 58254 6901

After line 58254, insert: 6902

**"Sec. 4779.13.** To be eligible for a license to practice 6903  
pedorthics, an applicant must meet both of the following 6904  
requirements: 6905

(A) Holds a high school diploma or certificate of high 6906  
school equivalence issued by the department of education and 6907  
workforce, or a primary-secondary education or higher education 6908  
agency of another state; 6909

(B) Has completed the education, training, and experience 6910  
required to take the certification examination developed by the 6911  
Ohio occupational therapy, physical therapy, and athletic 6912  
trainers board for certification in pedorthics or an equivalent 6913  
successor organization recognized by the board." 6914

Delete lines 58959 through 59042 6915

After line 59042, insert: 6916

**"Sec. 5104.015.** The director of job and family services 6917  
shall adopt rules in accordance with Chapter 119. of the Revised 6918  
Code governing the operation of child day-care centers, 6919  
including parent cooperative centers, part-time centers, and 6920  
drop-in centers. The rules shall reflect the various forms of 6921  
child care and the needs of children receiving child care or 6922

publicly funded child care and shall include specific rules for 6923  
school-age child care centers that are developed in consultation 6924  
with the department of education and workforce. The rules shall 6925  
include the following: 6926

(A) Submission of a site plan and descriptive plan of 6927  
operation to demonstrate how the center proposes to meet the 6928  
requirements of this chapter and rules adopted pursuant to this 6929  
chapter for the initial license application; 6930

(B) Standards for ensuring that the physical surroundings 6931  
of the center are safe and sanitary including the physical 6932  
environment, the physical plant, and the equipment of the 6933  
center; 6934

(C) Standards for the supervision, care, and discipline of 6935  
children receiving child care or publicly funded child care in 6936  
the center; 6937

(D) Standards for a program of activities, and for play 6938  
equipment, materials, and supplies, to enhance the development 6939  
of each child; however, any educational curricula, philosophies, 6940  
and methodologies that are developmentally appropriate and that 6941  
enhance the social, emotional, intellectual, and physical 6942  
development of each child shall be permissible. As used in this 6943  
division, "program" does not include instruction in religious or 6944  
moral doctrines, beliefs, or values that is conducted at child 6945  
day-care centers owned and operated by churches and does include 6946  
methods of disciplining children at child day-care centers. 6947

(E) Admissions policies and procedures; 6948

(F) Health care policies and procedures, including 6949  
procedures for the isolation of children with communicable 6950  
diseases; 6951



(G) First aid and emergency procedures;	6952
(H) Procedures for discipline and supervision of children;	6953
(I) Standards for the provision of nutritious meals and snacks;	6954 6955
(J) Procedures for screening children that may include any necessary physical examinations and shall include immunizations in accordance with section 5104.014 of the Revised Code;	6956 6957 6958
(K) Procedures for screening employees that may include any necessary physical examinations and immunizations;	6959 6960
(L) Methods for encouraging parental participation in the center and methods for ensuring that the rights of children, parents, and employees are protected and that responsibilities of parents and employees are met;	6961 6962 6963 6964
(M) Procedures for ensuring the safety and adequate supervision of children traveling off the premises of the center while under the care of a center employee;	6965 6966 6967
(N) Procedures for record keeping, organization, and administration;	6968 6969
(O) Procedures for issuing, denying, and revoking a license that are not otherwise provided for in Chapter 119. of the Revised Code;	6970 6971 6972
(P) Inspection procedures;	6973
(Q) Procedures and standards for setting initial license application fees;	6974 6975
(R) Procedures for receiving, recording, and responding to complaints about centers;	6976 6977

(S) Procedures for enforcing section 5104.04 of the Revised Code;	6978 6979
(T) Minimum qualifications for employment as an administrator or child-care staff member;	6980 6981
(U) Requirements for the training of administrators and child-care staff members, including training in first aid, in prevention, recognition, and management of communicable diseases, and in child abuse recognition and prevention;	6982 6983 6984 6985
(V) Standards providing for the needs of children who have disabilities or who require treatment for health conditions while the child is receiving child care or publicly funded child care in the center;	6986 6987 6988 6989
(W) A procedure for reporting of injuries of children that occur at the center;	6990 6991
(X) Standards for licensing child day-care centers for children with short-term illnesses and other temporary medical conditions;	6992 6993 6994
(Y) Minimum requirements for instructional time for child day-care centers rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code;	6995 6996 6997
(Z) Any other procedures and standards necessary to carry out the provisions of this chapter regarding child day-care centers."	6998 6999 7000
Delete lines 59274 through 59398	7001
After line 59398, insert:	7002
<b>"Sec. 5104.30.</b> (A) The department of job and family services is hereby designated as the state agency responsible	7003 7004

for administration and coordination of federal and state funding	7005
for publicly funded child care in this state. Publicly funded	7006
child care shall be provided to the following:	7007
(1) Recipients of transitional child care as provided	7008
under section 5104.34 of the Revised Code;	7009
(2) Participants in the Ohio works first program	7010
established under Chapter 5107. of the Revised Code;	7011
(3) Individuals who would be participating in the Ohio	7012
works first program if not for a sanction under section 5107.16	7013
of the Revised Code and who continue to participate in a work	7014
activity, developmental activity, or alternative work activity	7015
pursuant to an assignment under section 5107.42 of the Revised	7016
Code;	7017
(4) A family receiving publicly funded child care on	7018
October 1, 1997, until the family's income reaches one hundred	7019
fifty per cent of the federal poverty line;	7020
(5) Subject to available funds, other individuals	7021
determined eligible in accordance with rules adopted under	7022
section 5104.38 of the Revised Code.	7023
The department shall apply to the United States department	7024
of health and human services for authority to operate a	7025
coordinated program for publicly funded child care, if the	7026
director of job and family services determines that the	7027
application is necessary. For purposes of this section, the	7028
department of job and family services may enter into agreements	7029
with other state agencies that are involved in regulation or	7030
funding of child care. The department shall consider the special	7031
needs of migrant workers when it administers and coordinates	7032
publicly funded child care and shall develop appropriate	7033

procedures for accommodating the needs of migrant workers for 7034  
publicly funded child care. 7035

(B) The department of job and family services shall 7036  
distribute state and federal funds for publicly funded child 7037  
care, including appropriations of state funds for publicly 7038  
funded child care and appropriations of federal funds available 7039  
under the child care block grant act, Title IV-A, and Title XX. 7040  
The department may use any state funds appropriated for publicly 7041  
funded child care as the state share required to match any 7042  
federal funds appropriated for publicly funded child care. 7043

(C) In the use of federal funds available under the child 7044  
care block grant act, all of the following apply: 7045

(1) The department may use the federal funds to hire staff 7046  
to prepare any rules required under this chapter and to 7047  
administer and coordinate federal and state funding for publicly 7048  
funded child care. 7049

(2) Not more than five per cent of the aggregate amount of 7050  
the federal funds received for a fiscal year may be expended for 7051  
administrative costs. 7052

(3) The department shall allocate and use at least four 7053  
per cent of the federal funds for the following: 7054

(a) Activities designed to provide comprehensive consumer 7055  
education to parents and the public; 7056

(b) Activities that increase parental choice; 7057

(c) Activities, including child care resource and referral 7058  
services, designed to improve the quality, and increase the 7059  
supply, of child care; 7060

(d) Establishing the step up to quality program pursuant 7061

to section 5104.29 of the Revised Code. 7062

(4) The department shall ensure that the federal funds 7063  
will be used only to supplement, and will not be used to 7064  
supplant, federal, state, and local funds available on the 7065  
effective date of the child care block grant act for publicly 7066  
funded child care and related programs. If authorized by rules 7067  
adopted by the department pursuant to section 5104.42 of the 7068  
Revised Code, county departments of job and family services may 7069  
purchase child care from funds obtained through any other means. 7070

(D) The department shall encourage the development of 7071  
suitable child care throughout the state, especially in areas 7072  
with high concentrations of recipients of public assistance and 7073  
families with low incomes. The department shall encourage the 7074  
development of suitable child care designed to accommodate the 7075  
special needs of migrant workers. On request, the department, 7076  
through its employees or contracts with state or community child 7077  
care resource and referral service organizations, shall provide 7078  
consultation to groups and individuals interested in developing 7079  
child care. The department of job and family services may enter 7080  
into interagency agreements with the department of education and 7081  
workforce, the chancellor of higher education, the department of 7082  
development, and other state agencies and entities whenever the 7083  
cooperative efforts of the other state agencies and entities are 7084  
necessary for the department of job and family services to 7085  
fulfill its duties and responsibilities under this chapter. 7086

The department shall develop and maintain a registry of 7087  
persons providing child care. The director shall adopt rules in 7088  
accordance with Chapter 119. of the Revised Code establishing 7089  
procedures and requirements for the registry's administration. 7090

(E) (1) The director shall adopt rules in accordance with 7091

Chapter 119. of the Revised Code establishing both of the	7092
following:	7093
(a) Reimbursement rates for providers of publicly funded	7094
child care not later than the first day of July in each odd-	7095
numbered year;	7096
(b) A procedure for reimbursing and paying providers of	7097
publicly funded child care.	7098
(2) In establishing reimbursement rates under division (E)	7099
(1) (a) of this section, the director shall do all of the	7100
following:	7101
(a) Use the information obtained in accordance with 45	7102
C.F.R. 98.45;	7103
(b) Establish an enhanced reimbursement rate for providers	7104
who provide child care for caretaker parents who work	7105
nontraditional hours;	7106
(c) With regard to the step up to quality program	7107
established pursuant to section 5104.29 of the Revised Code,	7108
establish enhanced reimbursement rates for child day-care	7109
providers that participate in the program.	7110
(3) In establishing reimbursement rates under division (E)	7111
(1) (a) of this section, the director may establish different	7112
reimbursement rates based on any of the following:	7113
(a) Geographic location of the provider;	7114
(b) Type of care provided;	7115
(c) Age of the child served;	7116
(d) Special needs of the child served;	7117

(e) Whether the expanded hours of service are provided;	7118
(f) Whether weekend service is provided;	7119
(g) Whether the provider has exceeded the minimum	7120
requirements of state statutes and rules governing child care;	7121
(h) Any other factors the director considers appropriate.	7122
"	7123
Delete lines 61033 through 61236	7124
After line 61236, insert:	7125
<b>"Sec. 5703.21.</b> (A) Except as provided in divisions (B)	7126
and (C) of this section, no agent of the department of taxation,	7127
except in the agent's report to the department or when called on	7128
to testify in any court or proceeding, shall divulge any	7129
information acquired by the agent as to the transactions,	7130
property, or business of any person while acting or claiming to	7131
act under orders of the department. Whoever violates this	7132
provision shall thereafter be disqualified from acting as an	7133
officer or employee or in any other capacity under appointment	7134
or employment of the department.	7135
(B) (1) For purposes of an audit pursuant to section 117.15	7136
of the Revised Code, or an audit of the department pursuant to	7137
Chapter 117. of the Revised Code, or an audit, pursuant to that	7138
chapter, the objective of which is to express an opinion on a	7139
financial report or statement prepared or issued pursuant to	7140
division (A) (7) or (9) of section 126.21 of the Revised Code,	7141
the officers and employees of the auditor of state charged with	7142
conducting the audit shall have access to and the right to	7143
examine any state tax returns and state tax return information	7144
in the possession of the department to the extent that the	7145

access and examination are necessary for purposes of the audit. 7146  
Any information acquired as the result of that access and 7147  
examination shall not be divulged for any purpose other than as 7148  
required for the audit or unless the officers and employees are 7149  
required to testify in a court or proceeding under compulsion of 7150  
legal process. Whoever violates this provision shall thereafter 7151  
be disqualified from acting as an officer or employee or in any 7152  
other capacity under appointment or employment of the auditor of 7153  
state. 7154

(2) For purposes of an internal audit pursuant to section 7155  
126.45 of the Revised Code, the officers and employees of the 7156  
office of internal audit in the office of budget and management 7157  
charged with directing the internal audit shall have access to 7158  
and the right to examine any state tax returns and state tax 7159  
return information in the possession of the department to the 7160  
extent that the access and examination are necessary for 7161  
purposes of the internal audit. Any information acquired as the 7162  
result of that access and examination shall not be divulged for 7163  
any purpose other than as required for the internal audit or 7164  
unless the officers and employees are required to testify in a 7165  
court or proceeding under compulsion of legal process. Whoever 7166  
violates this provision shall thereafter be disqualified from 7167  
acting as an officer or employee or in any other capacity under 7168  
appointment or employment of the office of internal audit. 7169

(3) As provided by section 6103(d)(2) of the Internal 7170  
Revenue Code, any federal tax returns or federal tax information 7171  
that the department has acquired from the internal revenue 7172  
service, through federal and state statutory authority, may be 7173  
disclosed to the auditor of state or the office of internal 7174  
audit solely for purposes of an audit of the department. 7175



(4) For purposes of Chapter 3739. of the Revised Code, an agent of the department of taxation may share information with the division of state fire marshal that the agent finds during the course of an investigation.	7176 7177 7178 7179
(C) Division (A) of this section does not prohibit any of the following:	7180 7181
(1) Divulging information contained in applications, complaints, and related documents filed with the department under section 5715.27 of the Revised Code or in applications filed with the department under section 5715.39 of the Revised Code;	7182 7183 7184 7185 7186
(2) Providing information to the office of child support within the department of job and family services pursuant to section 3125.43 of the Revised Code;	7187 7188 7189
(3) Disclosing to the motor vehicle repair board any information in the possession of the department that is necessary for the board to verify the existence of an applicant's valid vendor's license and current state tax identification number under section 4775.07 of the Revised Code;	7190 7191 7192 7193 7194
(4) Providing information to the administrator of workers' compensation pursuant to sections 4123.271 and 4123.591 of the Revised Code;	7195 7196 7197
(5) Providing to the attorney general information the department obtains under division (J) of section 1346.01 of the Revised Code;	7198 7199 7200
(6) Permitting properly authorized officers, employees, or agents of a municipal corporation from inspecting reports or information pursuant to section 718.84 of the Revised Code or	7201 7202 7203

rules adopted under section 5745.16 of the Revised Code;	7204
(7) Providing information regarding the name, account	7205
number, or business address of a holder of a vendor's license	7206
issued pursuant to section 5739.17 of the Revised Code, a holder	7207
of a direct payment permit issued pursuant to section 5739.031	7208
of the Revised Code, or a seller having a use tax account	7209
maintained pursuant to section 5741.17 of the Revised Code, or	7210
information regarding the active or inactive status of a	7211
vendor's license, direct payment permit, or seller's use tax	7212
account;	7213
(8) Releasing invoices or invoice information furnished	7214
under section 4301.433 of the Revised Code pursuant to that	7215
section;	7216
(9) Providing to a county auditor notices or documents	7217
concerning or affecting the taxable value of property in the	7218
county auditor's county. Unless authorized by law to disclose	7219
documents so provided, the county auditor shall not disclose	7220
such documents;	7221
(10) Providing to a county auditor sales or use tax return	7222
or audit information under section 333.06 of the Revised Code;	7223
(11) Subject to section 4301.441 of the Revised Code,	7224
disclosing to the appropriate state agency information in the	7225
possession of the department of taxation that is necessary to	7226
verify a permit holder's gallonage or noncompliance with taxes	7227
levied under Chapter 4301. or 4305. of the Revised Code;	7228
(12) Disclosing to the department of natural resources	7229
information in the possession of the department of taxation that	7230
is necessary for the department of taxation to verify the	7231
taxpayer's compliance with section 5749.02 of the Revised Code	7232

or to allow the department of natural resources to enforce	7233
Chapter 1509. of the Revised Code;	7234
(13) Disclosing to the department of job and family	7235
services, industrial commission, and bureau of workers'	7236
compensation information in the possession of the department of	7237
taxation solely for the purpose of identifying employers that	7238
misclassify employees as independent contractors or that fail to	7239
properly report and pay employer tax liabilities. The department	7240
of taxation shall disclose only such information that is	7241
necessary to verify employer compliance with law administered by	7242
those agencies.	7243
(14) Disclosing to the Ohio casino control commission	7244
information in the possession of the department of taxation that	7245
is necessary to verify a casino operator's or sports gaming	7246
proprietor's compliance with section 5747.063, 5753.02, or	7247
5753.021 of the Revised Code and sections related thereto;	7248
(15) Disclosing to the state lottery commission	7249
information in the possession of the department of taxation that	7250
is necessary to verify a lottery sales agent's compliance with	7251
section 5747.064 of the Revised Code.	7252
(16) Disclosing to the department of development	7253
information in the possession of the department of taxation that	7254
is necessary to ensure compliance with the laws of this state	7255
governing taxation and to verify information reported to the	7256
department of development for the purpose of evaluating	7257
potential tax credits, tax deductions, grants, or loans. Such	7258
information shall not include information received from the	7259
internal revenue service the disclosure of which is prohibited	7260
by section 6103 of the Internal Revenue Code. No officer,	7261
employee, or agent of the department of development shall	7262

disclose any information provided to the department of 7263  
development by the department of taxation under division (C) (16) 7264  
of this section except when disclosure of the information is 7265  
necessary for, and made solely for the purpose of facilitating, 7266  
the evaluation of potential tax credits, tax deductions, grants, 7267  
or loans. 7268

(17) Disclosing to the department of insurance information 7269  
in the possession of the department of taxation that is 7270  
necessary to ensure a taxpayer's compliance with the 7271  
requirements with any tax credit administered by the department 7272  
of development and claimed by the taxpayer against any tax 7273  
administered by the superintendent of insurance. No officer, 7274  
employee, or agent of the department of insurance shall disclose 7275  
any information provided to the department of insurance by the 7276  
department of taxation under division (C) (17) of this section. 7277

(18) Disclosing to the division of liquor control 7278  
information in the possession of the department of taxation that 7279  
is necessary for the division and department to comply with the 7280  
requirements of sections 4303.26 and 4303.271 of the Revised 7281  
Code. 7282

(19) Disclosing to the department of education and 7283  
workforce, upon that department's request, information in the 7284  
possession of the department of taxation that is necessary only 7285  
to verify whether the family income of a student applying for or 7286  
receiving a scholarship under the educational choice scholarship 7287  
pilot program is equal to, less than, or greater than the income 7288  
thresholds prescribed by section 3310.032 of the Revised Code. 7289  
The department of education and workforce shall provide 7290  
sufficient information about the student and the student's 7291  
family to enable the department of taxation to make the 7292

verification. 7293

(20) Disclosing to the Ohio rail development commission 7294  
information in the possession of the department of taxation that 7295  
is necessary to ensure compliance with the laws of this state 7296  
governing taxation and to verify information reported to the 7297  
commission for the purpose of evaluating potential grants or 7298  
loans. Such information shall not include information received 7299  
from the internal revenue service the disclosure of which is 7300  
prohibited by section 6103 of the Internal Revenue Code. No 7301  
member, officer, employee, or agent of the Ohio rail development 7302  
commission shall disclose any information provided to the 7303  
commission by the department of taxation under division (C) (20) 7304  
of this section except when disclosure of the information is 7305  
necessary for, and made solely for the purpose of facilitating, 7306  
the evaluation of potential grants or loans. 7307

(21) Disclosing to the state racing commission information 7308  
in the possession of the department of taxation that is 7309  
necessary for verification of compliance with and for 7310  
enforcement and administration of the taxes levied by Chapter 7311  
3769. of the Revised Code. Such information shall include 7312  
information that is necessary for the state racing commission to 7313  
verify compliance with Chapter 3769. of the Revised Code for the 7314  
purposes of issuance, denial, suspension, or revocation of a 7315  
permit pursuant to section 3769.03 or 3769.06 of the Revised 7316  
Code and related sections. Unless disclosure is otherwise 7317  
authorized by law, information provided to the state racing 7318  
commission under this section remains confidential and is not 7319  
subject to public disclosure pursuant to section 3769.041 of the 7320  
Revised Code. 7321

(22) Disclosing to the state fire marshal information in 7322

the possession of the department of taxation that is necessary 7323  
for the state fire marshal to verify the compliance of a 7324  
licensed manufacturer of fireworks or a licensed wholesaler of 7325  
fireworks with section 3743.22 of the Revised Code. No officer, 7326  
employee, or agent of the state fire marshal shall disclose any 7327  
information provided to the state fire marshal by the department 7328  
of taxation under division (C) (22) of this section. 7329

(23) Disclosing to the department of job and family 7330  
services information in the possession of the department of 7331  
taxation for either of the following purposes: 7332

(a) Making a determination under section 4141.28 of the 7333  
Revised Code; 7334

(b) Verifying an individual's eligibility for a federal 7335  
program described in section 4141.163 of the Revised Code. 7336

Such information shall not include information received 7337  
from the internal revenue service the disclosure of which is 7338  
prohibited by section 6103 of the Internal Revenue Code." 7339

In line 62501, delete "2953.32" and insert "2953.34" 7340

In line 62576, delete ", 3319.613" 7341

In line 62606, delete the seventh ", " 7342

In line 62607, delete "4732.22" 7343

After line 62620, insert: 7344

**"Section 4.** That the versions of sections 921.06, 7345  
3301.071, 3309.011, 3319.22, 3319.229, 3319.262, 3319.28, 7346  
3319.361, 3327.10, 4709.07, 4709.10, 4732.10, 4735.09, and 7347  
4747.10 of the Revised Code that are scheduled to take effect 7348  
December 29, 2023, be amended to read as follows: 7349

<b>Sec. 921.06.</b> (A) (1) No individual shall do any of the	7350
following without having a commercial applicator license issued	7351
by the director of agriculture:	7352
(a) Apply pesticides for a pesticide business without	7353
direct supervision;	7354
(b) Apply pesticides as part of the individual's duties	7355
while acting as an employee of the United States government, a	7356
state, county, township, or municipal corporation, or a park	7357
district, port authority, or sanitary district created under	7358
Chapter 1545., 4582., or 6115. of the Revised Code,	7359
respectively;	7360
(c) Apply restricted use pesticides. Division (A) (1) (c) of	7361
this section does not apply to a private applicator or an	7362
immediate family member or a subordinate employee of a private	7363
applicator who is acting under the direct supervision of that	7364
private applicator.	7365
(d) If the individual is the owner of a business other	7366
than a pesticide business or an employee of such an owner, apply	7367
pesticides at any of the following publicly accessible sites	7368
that are located on the property:	7369
(i) Food service operations that are licensed under	7370
Chapter 3717. of the Revised Code;	7371
(ii) Retail food establishments that are licensed under	7372
Chapter 3717. of the Revised Code;	7373
(iii) Golf courses;	7374
(iv) Rental properties of more than four apartment units	7375
at one location;	7376
(v) Hospitals or medical facilities as defined in section	7377

3701.01 of the Revised Code;	7378
(vi) Child day-care centers or school child day-care centers as defined in section 5104.01 of the Revised Code;	7379 7380
(vii) Facilities owned or operated by a school district established under Chapter 3311. of the Revised Code, including an educational service center, a community school established under Chapter 3314. of the Revised Code, or a chartered or nonchartered nonpublic school that meets minimum standards established by the <del>state board</del> <u>director of education and workforce</u> ;	7381 7382 7383 7384 7385 7386 7387
(viii) State institutions of higher education as defined in section 3345.011 of the Revised Code, nonprofit institutions holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code, institutions holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code, and private institutions exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code;	7388 7389 7390 7391 7392 7393 7394 7395 7396 7397
(ix) Food processing establishments as defined in section 3715.021 of the Revised Code;	7398 7399
(x) Any other site designated by rule.	7400
(e) Conduct authorized diagnostic inspections.	7401
(2) Divisions (A) (1) (a) to (d) of this section do not apply to an individual who is acting as a trained serviceperson under the direct supervision of a commercial applicator.	7402 7403 7404
(3) Licenses shall be issued for a period of time	7405



established by rule and shall be renewed in accordance with 7406  
deadlines established by rule. The fee for each such license 7407  
shall be established by rule. If a license is not issued or 7408  
renewed, the application fee shall be retained by the state as 7409  
payment for the reasonable expense of processing the 7410  
application. The director shall by rule classify by pesticide- 7411  
use category licenses to be issued under this section. A single 7412  
license may include more than one pesticide-use category. No 7413  
individual shall be required to pay an additional license fee if 7414  
the individual is licensed for more than one category. 7415

The fee for each license or renewal does not apply to an 7416  
applicant who is an employee of the department of agriculture 7417  
whose job duties require licensure as a commercial applicator as 7418  
a condition of employment. 7419

(B) Application for a commercial applicator license shall 7420  
be made on a form prescribed by the director. Each application 7421  
for a license shall state the pesticide-use category or 7422  
categories of license for which the applicant is applying and 7423  
other information that the director determines essential to the 7424  
administration of this chapter. 7425

(C) (1) Except as provided in division (C) (2) of this 7426  
section, if the director finds that the applicant is competent 7427  
to apply pesticides and conduct diagnostic inspections and that 7428  
the applicant has passed both the general examination and each 7429  
applicable pesticide-use category examination as required under 7430  
division (A) of section 921.12 of the Revised Code, the director 7431  
shall issue a commercial applicator license limited to the 7432  
pesticide-use category or categories for which the applicant is 7433  
found to be competent. If the director rejects an application, 7434  
the director may explain why the application was rejected, 7435

describe the additional requirements necessary for the applicant 7436  
to obtain a license, and return the application. The applicant 7437  
may resubmit the application without payment of any additional 7438  
fee. 7439

(2) The director shall issue a commercial applicator 7440  
license in accordance with Chapter 4796. of the Revised Code to 7441  
an individual if either of the following applies: 7442

(a) The individual holds a commercial applicator license 7443  
in another state. 7444

(b) The individual has satisfactory work experience, a 7445  
government certification, or a private certification as 7446  
described in that chapter as a commercial applicator in a state 7447  
that does not issue that license. 7448

A license issued under this division shall be limited to 7449  
the pesticide-use category or categories for which the applicant 7450  
is licensed in another state or has satisfactory work 7451  
experience, a government certification, or a private 7452  
certification in that state. 7453

(D) (1) A person who is a commercial applicator shall be 7454  
deemed to hold a private applicator's license for purposes of 7455  
applying pesticides on agricultural commodities that are 7456  
produced by the commercial applicator. 7457

(2) A commercial applicator shall apply pesticides only in 7458  
the pesticide-use category or categories in which the applicator 7459  
is licensed under this chapter. 7460

(E) All money collected under this section shall be 7461  
credited to the pesticide, fertilizer, and lime program fund 7462  
created in section 921.22 of the Revised Code. 7463

**Sec. 3301.071.** (A) (1) Except as provided in division (E) 7464  
of this section, in the case of nontax-supported schools, 7465  
standards for teacher certification prescribed under section 7466  
3301.07 of the Revised Code shall provide for certification, 7467  
without further educational requirements, of any administrator, 7468  
supervisor, or teacher who has attended and received a 7469  
bachelor's degree from a college or university accredited by a 7470  
national or regional association in the United States except 7471  
that, at the discretion of the state board of education, this 7472  
requirement may be met by having an equivalent degree from a 7473  
foreign college or university of comparable standing. 7474

(2) Except as provided in division (E) of this section, in 7475  
the case of nonchartered, nontax-supported schools, the 7476  
standards for teacher certification prescribed under section 7477  
3301.07 of the Revised Code shall provide for certification, 7478  
without further educational requirements, of any administrator, 7479  
supervisor, or teacher who has attended and received a diploma 7480  
from a "bible college" or "bible institute" described in 7481  
division (E) of section 1713.02 of the Revised Code. 7482

(3) A certificate issued under division (A) (3) of this 7483  
section shall be valid only for teaching foreign language, 7484  
music, religion, computer technology, or fine arts. 7485

Notwithstanding division (A) (1) of this section and except 7486  
as provided in division (E) of this section, the standards for 7487  
teacher certification prescribed under section 3301.07 of the 7488  
Revised Code shall provide for certification of a person as a 7489  
teacher upon receipt by the state board of an affidavit signed 7490  
by the chief administrative officer of a chartered nonpublic 7491  
school seeking to employ the person, stating that the person 7492  
meets one of the following conditions: 7493

(a) The person has specialized knowledge, skills, or expertise that qualifies the person to provide instruction.	7494 7495
(b) The person has provided to the chief administrative officer evidence of at least three years of teaching experience in a public or nonpublic school.	7496 7497 7498
(c) The person has provided to the chief administrative officer evidence of completion of a teacher training program named in the affidavit.	7499 7500 7501
(B) Each person applying for a certificate under this section for purposes of serving in a nonpublic school chartered by the <del>state board</del> <u>director of education and workforce</u> under section 3301.16 of the Revised Code shall pay a fee in the amount established under division (A) of section 3319.51 of the Revised Code. Any fees received under this division shall be paid into the state treasury to the credit of the state board of education certification fund established under division (B) of section 3319.51 of the Revised Code.	7502 7503 7504 7505 7506 7507 7508 7509 7510
(C) A person applying for or holding any certificate pursuant to this section for purposes of serving in a nonpublic school chartered by the <del>state board</del> <u>director</u> is subject to sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code and sections 3319.31 and 3319.311 of the Revised Code.	7511 7512 7513 7514 7515 7516
(D) Divisions (B) and (C) of this section and sections 3319.291, 3319.31, and 3319.311 of the Revised Code do not apply to any administrators, supervisors, or teachers in nonchartered, nontax-supported schools.	7517 7518 7519 7520
(E) The state board shall issue a certificate to serve in a nonpublic school as an administrator, supervisor, or teacher	7521 7522

in accordance with Chapter 4796. of the Revised Code to an	7523
applicant if either of the following applies:	7524
(1) The applicant holds a certificate in another state.	7525
(2) The applicant has satisfactory work experience, a	7526
government certification, or a private certification as	7527
described in that chapter as a nonpublic school administrator,	7528
supervisor, or teacher in a state that does not issue one or	7529
more of those certificates.	7530
<b>Sec. 3309.011.</b> "Employee" as defined in division (B) of	7531
section 3309.01 of the Revised Code, does not include any of the	7532
following:	7533
(A) Any person having a license or registration issued	7534
pursuant to sections 3319.22 to 3319.31 of the Revised Code and	7535
employed in a public school in this state in an educational	7536
position, as determined by the <del>state board</del> <u>department of</u>	7537
<u>education and workforce</u> , under programs provided for by federal	7538
acts or regulations and financed in whole or in part from	7539
federal funds, but for which no licensure requirements for the	7540
position can be made under the provisions of such federal acts	7541
or regulations;	7542
(B) Any person who participates in an alternative	7543
retirement plan established under Chapter 3305. of the Revised	7544
Code;	7545
(C) Any person who elects to transfer from the school	7546
employees retirement system to the public employees retirement	7547
system under section 3309.312 of the Revised Code;	7548
(D) Any person whose full-time employment by the	7549
university of Akron as a state university law enforcement	7550

officer pursuant to section 3345.04 of the Revised Code	7551
commences on or after September 16, 1998;	7552
(E) Any person described in division (B) of section	7553
3309.013 of the Revised Code;	7554
(F) Any person described in division (D) of section	7555
145.011 of the Revised Code;	7556
(G) Any person described in division (B) (1) (b) or (g) of	7557
section 3307.01 of the Revised Code.	7558
<b>Sec. 3319.22.</b> (A) (1) The state board of education shall	7559
issue the following educator licenses:	7560
(a) A resident educator license, which shall be valid for	7561
two years and shall be renewable for reasons specified by rules	7562
adopted by the state board pursuant to division (A) (3) of this	7563
section. The state board, on a case-by-case basis, may extend	7564
the license's duration as necessary to enable the license holder	7565
to complete the Ohio teacher residency program established under	7566
section 3319.223 of the Revised Code;	7567
(b) A professional educator license, which shall be valid	7568
for five years and shall be renewable;	7569
(c) A senior professional educator license, which shall be	7570
valid for five years and shall be renewable;	7571
(d) A lead professional educator license, which shall be	7572
valid for five years and shall be renewable.	7573
Licenses issued under division (A) (1) of this section on	7574
and after November 2, 2018, shall specify whether the educator	7575
is licensed to teach grades pre-kindergarten through five,	7576
grades four through nine, or grades seven through twelve. The	7577
changes to the grade band specifications under this amendment	7578

shall not apply to a person who holds a license under division 7579  
(A) (1) of this section prior to November 2, 2018. Further, the 7580  
changes to the grade band specifications under this amendment 7581  
shall not apply to any license issued to teach in the area of 7582  
computer information science, bilingual education, dance, drama 7583  
or theater, world language, health, library or media, music, 7584  
physical education, teaching English to speakers of other 7585  
languages, career-technical education, or visual arts or to any 7586  
license issued to an intervention specialist, including a gifted 7587  
intervention specialist, or to any other license that does not 7588  
align to the grade band specifications. 7589

(2) (a) Except as provided in division (A) (2) (b) of this 7590  
section, the state board may issue any additional educator 7591  
licenses of categories, types, and levels the board elects to 7592  
provide. 7593

(b) Not later than December 31, 2024, the state board 7594  
shall cease licensing school psychologists. The state board 7595  
shall coordinate with the state board of psychology to 7596  
transition to licensure under Chapter 4732. of the Revised Code 7597  
any school psychologists licensed under rules adopted in 7598  
accordance with sections 3301.07 and 3319.22 of the Revised 7599  
Code. 7600

(3) Except as provided in division (I) of this section, 7601  
the state board shall adopt rules establishing the standards and 7602  
requirements for obtaining each educator license issued under 7603  
this section. The rules shall also include the reasons for which 7604  
a resident educator license may be renewed under division (A) (1) 7605  
(a) of this section. 7606

(B) Except as provided in division (I) of this section, 7607  
the rules adopted under this section shall require at least the 7608

following standards and qualifications for the educator licenses 7609  
described in division (A) (1) of this section: 7610

(1) An applicant for a resident educator license shall 7611  
hold at least a bachelor's degree from an accredited teacher 7612  
preparation program or be a participant in the teach for America 7613  
program and meet the qualifications required under section 7614  
3319.227 of the Revised Code. 7615

(2) An applicant for a professional educator license 7616  
shall: 7617

(a) Hold at least a bachelor's degree from an institution 7618  
of higher education accredited by a regional accrediting 7619  
organization; 7620

(b) Have successfully completed the Ohio teacher residency 7621  
program established under section 3319.223 of the Revised Code, 7622  
if the applicant's current or most recently issued license is a 7623  
resident educator license issued under this section or an 7624  
alternative resident educator license issued under section 7625  
3319.26 of the Revised Code. 7626

(3) An applicant for a senior professional educator 7627  
license shall: 7628

(a) Hold at least a master's degree from an institution of 7629  
higher education accredited by a regional accrediting 7630  
organization; 7631

(b) Have previously held a professional educator license 7632  
issued under this section or section 3319.222 or under former 7633  
section 3319.22 of the Revised Code; 7634

(c) Meet the criteria for the accomplished or 7635  
distinguished level of performance, as described in the 7636



standards for teachers adopted by the state board under section	7637
3319.61 of the Revised Code.	7638
(4) An applicant for a lead professional educator license	7639
shall:	7640
(a) Hold at least a master's degree from an institution of	7641
higher education accredited by a regional accrediting	7642
organization;	7643
(b) Have previously held a professional educator license	7644
or a senior professional educator license issued under this	7645
section or a professional educator license issued under section	7646
3319.222 or former section 3319.22 of the Revised Code;	7647
(c) Meet the criteria for the distinguished level of	7648
performance, as described in the standards for teachers adopted	7649
by the state board under section 3319.61 of the Revised Code;	7650
(d) Either hold a valid certificate issued by the national	7651
board for professional teaching standards or meet the criteria	7652
for a master teacher or other criteria for a lead teacher	7653
adopted by the educator standards board under division (F) (4) or	7654
(5) of section 3319.61 of the Revised Code.	7655
(C) The state board shall align the standards and	7656
qualifications for obtaining a principal license with the	7657
standards for principals adopted by the state board under	7658
section 3319.61 of the Revised Code.	7659
(D) If the state board requires any examinations for	7660
educator licensure, the <del>department of education state board</del>	7661
shall provide the results of such examinations received by the	7662
<del>department state board</del> to the chancellor of higher education, in	7663
the manner and to the extent permitted by state and federal law.	7664

(E) Any rules the state board of education adopts, amends, 7665  
or rescinds for educator licenses under this section, ~~division~~ 7666  
~~(D) of section 3301.07 of the Revised Code,~~ or any other law 7667  
shall be adopted, amended, or rescinded under Chapter 119. of 7668  
the Revised Code except as follows: 7669

(1) Notwithstanding division (E) of section 119.03 and 7670  
division (A)(1) of section 119.04 of the Revised Code, in the 7671  
case of the adoption of any rule or the amendment or rescission 7672  
of any rule that necessitates institutions' offering preparation 7673  
programs for educators and other school personnel that are 7674  
approved by the chancellor of higher education under section 7675  
3333.048 of the Revised Code to revise the curriculum of those 7676  
programs, the effective date shall not be as prescribed in 7677  
division (E) of section 119.03 and division (A)(1) of section 7678  
119.04 of the Revised Code. Instead, the effective date of such 7679  
rules, or the amendment or rescission of such rules, shall be 7680  
the date prescribed by section 3333.048 of the Revised Code. 7681

(2) Notwithstanding the authority to adopt, amend, or 7682  
rescind emergency rules in division (G) of section 119.03 of the 7683  
Revised Code, this authority shall not apply to the state board 7684  
of education with regard to rules for educator licenses. 7685

(F)(1) The rules adopted under this section establishing 7686  
standards requiring additional coursework for the renewal of any 7687  
educator license shall require a school district and a chartered 7688  
nonpublic school to establish local professional development 7689  
committees. In a nonpublic school, the chief administrative 7690  
officer shall establish the committees in any manner acceptable 7691  
to such officer. The committees established under this division 7692  
shall determine whether coursework that a district or chartered 7693  
nonpublic school teacher proposes to complete meets the 7694

requirement of the rules. The ~~department of education state~~ 7695  
board shall provide technical assistance and support to 7696  
committees as the committees incorporate the professional 7697  
development standards adopted ~~by the state board of education~~ 7698  
pursuant to section 3319.61 of the Revised Code into their 7699  
review of coursework that is appropriate for license renewal. 7700  
The rules shall establish a procedure by which a teacher may 7701  
appeal the decision of a local professional development 7702  
committee. 7703

(2) In any school district in which there is no exclusive 7704  
representative established under Chapter 4117. of the Revised 7705  
Code, the professional development committees shall be 7706  
established as described in division (F) (2) of this section. 7707

Not later than the effective date of the rules adopted 7708  
under this section, the board of education of each school 7709  
district shall establish the structure for one or more local 7710  
professional development committees to be operated by such 7711  
school district. The committee structure so established by a 7712  
district board shall remain in effect unless within thirty days 7713  
prior to an anniversary of the date upon which the current 7714  
committee structure was established, the board provides notice 7715  
to all affected district employees that the committee structure 7716  
is to be modified. Professional development committees may have 7717  
a district-level or building-level scope of operations, and may 7718  
be established with regard to particular grade or age levels for 7719  
which an educator license is designated. 7720

Each professional development committee shall consist of 7721  
at least three classroom teachers employed by the district, one 7722  
principal employed by the district, and one other employee of 7723  
the district appointed by the district superintendent. For 7724

committees with a building-level scope, the teacher and 7725  
principal members shall be assigned to that building, and the 7726  
teacher members shall be elected by majority vote of the 7727  
classroom teachers assigned to that building. For committees 7728  
with a district-level scope, the teacher members shall be 7729  
elected by majority vote of the classroom teachers of the 7730  
district, and the principal member shall be elected by a 7731  
majority vote of the principals of the district, unless there 7732  
are two or fewer principals employed by the district, in which 7733  
case the one or two principals employed shall serve on the 7734  
committee. If a committee has a particular grade or age level 7735  
scope, the teacher members shall be licensed to teach such grade 7736  
or age levels, and shall be elected by majority vote of the 7737  
classroom teachers holding such a license and the principal 7738  
shall be elected by all principals serving in buildings where 7739  
any such teachers serve. The district superintendent shall 7740  
appoint a replacement to fill any vacancy that occurs on a 7741  
professional development committee, except in the case of 7742  
vacancies among the elected classroom teacher members, which 7743  
shall be filled by vote of the remaining members of the 7744  
committee so selected. 7745

Terms of office on professional development committees 7746  
shall be prescribed by the district board establishing the 7747  
committees. The conduct of elections for members of professional 7748  
development committees shall be prescribed by the district board 7749  
establishing the committees. A professional development 7750  
committee may include additional members, except that the 7751  
majority of members on each such committee shall be classroom 7752  
teachers employed by the district. Any member appointed to fill 7753  
a vacancy occurring prior to the expiration date of the term for 7754  
which a predecessor was appointed shall hold office as a member 7755

for the remainder of that term. 7756

The initial meeting of any professional development 7757  
committee, upon election and appointment of all committee 7758  
members, shall be called by a member designated by the district 7759  
superintendent. At this initial meeting, the committee shall 7760  
select a chairperson and such other officers the committee deems 7761  
necessary, and shall adopt rules for the conduct of its 7762  
meetings. Thereafter, the committee shall meet at the call of 7763  
the chairperson or upon the filing of a petition with the 7764  
district superintendent signed by a majority of the committee 7765  
members calling for the committee to meet. 7766

(3) In the case of a school district in which an exclusive 7767  
representative has been established pursuant to Chapter 4117. of 7768  
the Revised Code, professional development committees shall be 7769  
established in accordance with any collective bargaining 7770  
agreement in effect in the district that includes provisions for 7771  
such committees. 7772

If the collective bargaining agreement does not specify a 7773  
different method for the selection of teacher members of the 7774  
committees, the exclusive representative of the district's 7775  
teachers shall select the teacher members. 7776

If the collective bargaining agreement does not specify a 7777  
different structure for the committees, the board of education 7778  
of the school district shall establish the structure, including 7779  
the number of committees and the number of teacher and 7780  
administrative members on each committee; the specific 7781  
administrative members to be part of each committee; whether the 7782  
scope of the committees will be district levels, building 7783  
levels, or by type of grade or age levels for which educator 7784  
licenses are designated; the lengths of terms for members; the 7785

manner of filling vacancies on the committees; and the frequency 7786  
and time and place of meetings. However, in all cases, except as 7787  
provided in division (F)(4) of this section, there shall be a 7788  
majority of teacher members of any professional development 7789  
committee, there shall be at least five total members of any 7790  
professional development committee, and the exclusive 7791  
representative shall designate replacement members in the case 7792  
of vacancies among teacher members, unless the collective 7793  
bargaining agreement specifies a different method of selecting 7794  
such replacements. 7795

(4) Whenever an administrator's coursework plan is being 7796  
discussed or voted upon, the local professional development 7797  
committee shall, at the request of one of its administrative 7798  
members, cause a majority of the committee to consist of 7799  
administrative members by reducing the number of teacher members 7800  
voting on the plan. 7801

(G) (1) The department of education and workforce, 7802  
educational service centers, county boards of developmental 7803  
disabilities, college and university departments of education, 7804  
head start programs, and the Ohio education computer network may 7805  
establish local professional development committees to determine 7806  
whether the coursework proposed by their employees who are 7807  
licensed or certificated under this section or section 3319.222 7808  
of the Revised Code, or under the former version of either 7809  
section as it existed prior to October 16, 2009, meet the 7810  
requirements of the rules adopted under this section. They may 7811  
establish local professional development committees on their own 7812  
or in collaboration with a school district or other agency 7813  
having authority to establish them. 7814

Local professional development committees established by 7815

county boards of developmental disabilities shall be structured 7816  
in a manner comparable to the structures prescribed for school 7817  
districts in divisions (F) (2) and (3) of this section, as shall 7818  
the committees established by any other entity specified in 7819  
division (G) (1) of this section that provides educational 7820  
services by employing or contracting for services of classroom 7821  
teachers licensed or certificated under this section or section 7822  
3319.222 of the Revised Code, or under the former version of 7823  
either section as it existed prior to October 16, 2009. All 7824  
other entities specified in division (G) (1) of this section 7825  
shall structure their committees in accordance with guidelines 7826  
which shall be issued by the ~~state board~~ department. 7827

(2) Educational service centers may establish local 7828  
professional development committees to serve educators who are 7829  
not employed in schools in this state, including pupil services 7830  
personnel who are licensed under this section. Local 7831  
professional development committees shall be structured in a 7832  
manner comparable to the structures prescribed for school 7833  
districts in divisions (F) (2) and (3) of this section. 7834

These committees may agree to review the coursework, 7835  
continuing education units, or other equivalent activities 7836  
related to classroom teaching or the area of licensure that is 7837  
proposed by an individual who satisfies both of the following 7838  
conditions: 7839

(a) The individual is licensed or certificated under this 7840  
section or under the former version of this section as it 7841  
existed prior to October 16, 2009. 7842

(b) The individual is not currently employed as an 7843  
educator or is not currently employed by an entity that operates 7844  
a local professional development committee under this section. 7845

Any committee that agrees to work with such an individual 7846  
shall work to determine whether the proposed coursework, 7847  
continuing education units, or other equivalent activities meet 7848  
the requirements of the rules adopted by the state board under 7849  
this section. 7850

(3) Any public agency that is not specified in division 7851  
(G) (1) or (2) of this section but provides educational services 7852  
and employs or contracts for services of classroom teachers 7853  
licensed or certificated under this section or section 3319.222 7854  
of the Revised Code, or under the former version of either 7855  
section as it existed prior to October 16, 2009, may establish a 7856  
local professional development committee, subject to the 7857  
approval of the department of education and workforce. The 7858  
committee shall be structured in accordance with guidelines 7859  
issued by the ~~state board~~ department. 7860

(H) Not later than July 1, 2016, the state board, in 7861  
accordance with Chapter 119. of the Revised Code, shall adopt 7862  
rules pursuant to division (A) (3) of this section that do both 7863  
of the following: 7864

(1) Exempt consistently high-performing teachers from the 7865  
requirement to complete any additional coursework for the 7866  
renewal of an educator license issued under this section or 7867  
section 3319.26 of the Revised Code. The rules also shall 7868  
specify that such teachers are exempt from any requirements 7869  
prescribed by professional development committees established 7870  
under divisions (F) and (G) of this section. 7871

(2) For purposes of division (H) (1) of this section, the 7872  
state board shall define the term "consistently high-performing 7873  
teacher." 7874



(I) The state board shall issue a resident educator license, professional educator license, senior professional educator license, lead professional educator license, or any other educator license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a resident educator, professional educator, senior professional educator, lead professional educator, or any other type of educator in a state that does not issue one or more of those licenses.

**Sec. 3319.229.** (A) (1) Notwithstanding the repeal of former section 3319.229 of the Revised Code by S.B. 216 of the 132nd general assembly, the state board of education shall accept applications for new, and for renewal of, professional career-technical teaching licenses through June 30, 2019, and issue them on the basis of the applications received by that date in accordance with the rules described in that former section. Except as otherwise provided in divisions (A) (2) and (3) of this section, beginning July 1, 2019, the state board shall issue career-technical workforce development educator licenses only under this section.

(2) An individual who, on July 1, 2019, holds a professional career-technical teaching license issued under the rules described in former section 3319.229 of the Revised Code, may continue to renew that license in accordance with those rules for the remainder of the individual's teaching career. However, nothing in this division shall be construed to prohibit the individual from applying to the state board for a career-

technical workforce development educator license under this 7905  
section. 7906

(3) An individual who, on July 1, 2019, holds an 7907  
alternative resident educator license for teaching career- 7908  
technical education issued under section 3319.26 of the Revised 7909  
Code may, upon the expiration of the license, apply for a 7910  
professional career-technical teaching license issued under the 7911  
rules described in former section 3319.229 of the Revised Code. 7912  
Such an individual may continue to renew the professional 7913  
license in accordance with those rules for the remainder of the 7914  
individual's teaching career. However, nothing in this division 7915  
shall be construed to prohibit the individual from applying to 7916  
the state board for a career-technical workforce development 7917  
educator license under this section. 7918

(B) Except as provided in division (G) of this section, 7919  
the state board, in collaboration with the chancellor of higher 7920  
education, shall adopt rules establishing standards and 7921  
requirements for obtaining a two-year initial career-technical 7922  
workforce development educator license and a five-year advanced 7923  
career-technical workforce development educator license. Each 7924  
license shall be valid for teaching career-technical education 7925  
or workforce development programs in grades four through twelve. 7926  
The rules shall require applicants for either license to have a 7927  
high school diploma or a certificate of high school equivalence 7928  
as awarded under section 3301.80 of the Revised Code or as 7929  
recognized as the equivalent of such certificate under division 7930  
(C) of that section. 7931

(C) (1) Except as provided in division (G) of this section, 7932  
the state board shall issue an initial career-technical 7933  
workforce development educator license to an applicant upon 7934

request from the superintendent of a school district that has 7935  
 agreed to employ the applicant. In making the request, the 7936  
 superintendent shall provide documentation, in accordance with 7937  
 procedures prescribed by the ~~department of education~~state board, 7938  
 showing that the applicant has at least five years of work 7939  
 experience, or the equivalent, in the subject area in which the 7940  
 applicant will teach. The license shall be valid for teaching 7941  
 only in the requesting district. The superintendent also shall 7942  
 provide documentation, in accordance with procedures prescribed 7943  
 by the ~~department~~ state board, that the applicant is enrolled in 7944  
 a career-technical workforce development educator preparation 7945  
 program offered by an institution of higher education that has 7946  
 an existing teacher preparatory program in place that meets all 7947  
 of the following criteria: 7948

(a) Is approved by the chancellor of higher education to 7949  
 provide instruction in teaching methods and principles; 7950

(b) Provides classroom support to the license holder; 7951

(c) Includes at least three semester hours of coursework 7952  
 in the teaching of reading in the subject area; 7953

(d) Is aligned with career-technical education and 7954  
 workforce development competencies developed by the department\_ 7955  
of education and workforce; 7956

(e) Uses a summative performance-based assessment 7957  
 developed by the program and aligned to the competencies 7958  
 described in division (C) (1) (d) of this section to evaluate the 7959  
 license holder's knowledge and skills; 7960

(f) Consists of not less than twenty-four semester hours 7961  
 of coursework, or the equivalent. 7962

(2) As a condition of continuing to hold the initial 7963  
career-technical workforce development license, the holder of 7964  
the license shall be participating in a career-technical 7965  
workforce development educator preparation program described in 7966  
division (C) (1) of this section. 7967

(3) The state board shall renew an initial career- 7968  
technical workforce development educator license if the 7969  
supervisor of the program described in division (C) (1) of this 7970  
section and the superintendent of the employing school district 7971  
indicate that the applicant is making sufficient progress in 7972  
both the program and the teaching position. 7973

(D) Except as provided in division (G) of this section, 7974  
the state board shall issue an advanced career-technical 7975  
workforce development educator license to an applicant who has 7976  
successfully completed the program described in division (C) (1) 7977  
of this section, as indicated by the supervisor of the program, 7978  
and who demonstrates mastery of the applicable career-technical 7979  
education and workforce development competencies described in 7980  
division (C) (1) (d) of this section in the teaching position, as 7981  
indicated by the superintendent of the employing school 7982  
district. 7983

(E) The holder of an advanced career-technical workforce 7984  
development educator license shall work with a local 7985  
professional development committee established under section 7986  
3319.22 of the Revised Code in meeting requirements for renewal 7987  
of the license. 7988

(F) Notwithstanding the provisions of section 3319.226 of 7989  
the Revised Code, the state board shall not require any 7990  
applicant for an educator license for substitute teaching who 7991  
holds a license issued under this section to hold a post- 7992

secondary degree in order to be issued a license under section 7993  
3319.226 of the Revised Code to work as a substitute teacher for 7994  
career-technical education classes. 7995

(G) The state board shall issue a license to practice as 7996  
an initial career-technical workforce development educator or 7997  
advanced career-technical workforce development educator in 7998  
accordance with Chapter 4796. of the Revised Code to an 7999  
applicant if either of the following applies: 8000

(1) The applicant holds a license in another state. 8001

(2) The applicant has satisfactory work experience, a 8002  
government certification, or a private certification as 8003  
described in that chapter as a career-technical workforce 8004  
development educator in a state that does not issue one or both 8005  
of those licenses. 8006

**Sec. 3319.262.** (A) Notwithstanding any other provision of 8007  
the Revised Code or any rule adopted by the state board of 8008  
education to the contrary and except as provided in division (C) 8009  
of this section, the state board shall adopt rules establishing 8010  
standards and requirements for obtaining a nonrenewable four- 8011  
year initial early college high school educator license for 8012  
teaching grades seven through twelve at an early college high 8013  
school described in section 3313.6013 of the Revised Code to any 8014  
applicant who meets the following conditions: 8015

(1) Has a graduate or terminal degree from an accredited 8016  
institution of higher education in a field related to the 8017  
subject area to be taught, as determined by the ~~department of~~ 8018  
education state board; 8019

(2) Has obtained a passing score on an examination in the 8020  
subject area to be taught, as prescribed by the state board; 8021

(3) Has experience teaching students at any grade level,	8022
including post-secondary students;	8023
(4) Has proof that an early college high school intends to	8024
employ the applicant pending a valid license under this section.	8025
An individual licensed under this section shall be subject	8026
to sections 3319.291 and 3319.39 of the Revised Code. An initial	8027
educator license issued under division (A) of this section shall	8028
be valid for teaching only at the employing school described in	8029
division (A) (4) of this section.	8030
(B) After four years of teaching under an initial early	8031
college high school educator license issued under this section,	8032
an individual may apply for a renewable five-year professional	8033
educator license in the same subject area named in the initial	8034
license. The state board shall issue the applicant a	8035
professional educator license if the applicant attains a passing	8036
score on an assessment of professional knowledge prescribed by	8037
the state board. Nothing in division (B) of this section shall	8038
be construed to prohibit an individual from applying for a	8039
professional educator license under section 3319.22 of the	8040
Revised Code.	8041
(C) The state board shall issue an initial early college	8042
high school educator license in accordance with Chapter 4796. of	8043
the Revised Code to an applicant if either of the following	8044
applies:	8045
(1) The applicant holds a license in another state.	8046
(2) The applicant has satisfactory work experience, a	8047
government certification, or a private certification as	8048
described in that chapter as an early college high school	8049
educator in a state that does not issue that license.	8050

**Sec. 3319.28.** (A) As used in this section, "STEM school" 8051  
means a science, technology, engineering, and mathematics school 8052  
established under Chapter 3326. of the Revised Code. 8053

(B) Notwithstanding any other provision of the Revised 8054  
Code or any rule adopted by the state board of education to the 8055  
contrary and except as provided in division (F) of this section, 8056  
the state board shall issue a two-year provisional educator 8057  
license for teaching science, technology, engineering, or 8058  
mathematics in grades six through twelve in a STEM school to any 8059  
applicant who meets the following conditions: 8060

(1) Holds a bachelor's degree from an accredited 8061  
institution of higher education in a field related to the 8062  
subject area to be taught; 8063

(2) Has passed an examination prescribed by the state 8064  
board in the subject area to be taught. 8065

(C) The holder of a provisional educator license issued 8066  
under this section shall complete a structured apprenticeship 8067  
program provided by an educational service center or a teacher 8068  
preparation program approved under section 3333.048 of the 8069  
Revised Code, in partnership with the STEM school that employs 8070  
the license holder. The apprenticeship program shall include the 8071  
following: 8072

(1) Mentoring by a teacher or administrator who regularly 8073  
observes the license holder's classroom instruction, provides 8074  
feedback on the license holder's teaching strategies and 8075  
classroom management, and engages the license holder in 8076  
discussions about methods for fostering and measuring student 8077  
learning; 8078

(2) Regularly scheduled seminars or meetings that address 8079

the following topics:	8080
(a) The statewide academic standards adopted <del>by the state board</del> under section 3301.079 of the Revised Code and the importance of aligning curriculum with those standards;	8081 8082 8083
(b) The achievement assessments prescribed by section 3301.0710 of the Revised Code;	8084 8085
(c) The school district and building accountability system established under Chapter 3302. of the Revised Code;	8086 8087
(d) Instructional methods and strategies;	8088
(e) Student development;	8089
(f) Assessing student progress and providing remediation and intervention, as necessary, to meet students' special needs;	8090 8091
(g) Classroom management and record keeping.	8092
(D) After two years of teaching under a provisional educator license issued under this section, a person may apply for a five-year professional educator license in the same subject area named in the provisional license. The state board shall issue the applicant a professional educator license if the applicant meets the following conditions:	8093 8094 8095 8096 8097 8098
(1) The applicant completed the apprenticeship program described in division (C) of this section.	8099 8100
(2) The applicant receives a positive recommendation indicating that the applicant is an effective teacher from both of the following:	8101 8102 8103
(a) The chief administrative officer of the STEM school that most recently employed the applicant as a classroom teacher;	8104 8105 8106



(b) The educational service center or teacher preparation program administrator in charge of the apprenticeship program completed by the applicant. 8107  
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(3) The applicant meets all other requirements for a professional educator license adopted by the state board under section 3319.22 of the Revised Code. 8110  
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(E) The ~~department of education~~ state board shall evaluate the experiences of STEM schools with classroom teachers holding provisional educator licenses issued under this section. The evaluation shall cover the first two school years for which licenses are issued and shall consider at least the schools' satisfaction with the teachers and the operation of the apprenticeship programs. 8113  
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(F) The state board shall issue a provisional educator license for teaching in a STEM school in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 8120  
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(1) The applicant holds a license in another state. 8124

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a STEM educator in a state that does not issue that license. 8125  
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**Sec. 3319.361.** (A) Except as provided in division (F) of this section, the state board of education shall establish rules for the issuance of a supplemental teaching license. This license shall be issued at the request of the superintendent of a city, local, exempted village, or joint vocational school district, educational service center, or the governing authority of a STEM school, chartered nonpublic school, or community 8129  
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school to an individual who meets all of the following criteria:	8136
(1) Holds a current professional or permanent Ohio	8137
teaching certificate or resident educator license, professional	8138
educator license, senior professional educator license, or lead	8139
professional educator license, as issued under section 3319.22	8140
or 3319.26 of the Revised Code;	8141
(2) Is of good moral character;	8142
(3) Is employed in a supplemental licensure area or	8143
teaching field, as defined by the state board;	8144
(4) Completes an examination prescribed by the state board	8145
in the licensure area;	8146
(5) Completes, while employed under the supplemental	8147
teaching license and subsequent renewals thereof, additional	8148
coursework, if applicable, and testing requirements for full	8149
licensure in the supplemental area as a condition of holding and	8150
teaching under a supplemental teaching license.	8151
(B) The employing school district, service center, or	8152
school shall assign a mentor to the individual holding a	8153
supplemental teaching license. The assigned mentor shall be an	8154
experienced teacher who currently holds a license in the same,	8155
or a related, content area as the supplemental license.	8156
(C) Before the <del>department of education</del> <u>state board</u> will	8157
issue an individual a supplemental teaching license in another	8158
area, the supplemental licensee must complete the supplemental	8159
licensure program, or its equivalent, and be issued a standard	8160
teaching license in the area of the currently held supplemental	8161
license.	8162
(D) An individual may advance from a supplemental teaching	8163

license to a standard teaching license upon: 8164

(1) Verification from the employing superintendent or 8165  
governing authority that the individual holding the supplemental 8166  
teaching license has taught successfully in the licensure area 8167  
for a minimum of two years; and 8168

(2) Completing requirements as applicable to the licensure 8169  
area or teaching field as established by the state board. 8170

(E) A licensee who has filed an application under this 8171  
section may work in the supplemental licensure area for up to 8172  
sixty school days while completing the requirements in division 8173  
(A) (4) of this section. If the requirements are not completed 8174  
within sixty days, the application shall be declined. 8175

(F) The state board shall issue a supplemental teaching 8176  
license in accordance with Chapter 4796. of the Revised Code to 8177  
an applicant if either of the following applies: 8178

(1) The applicant holds a license in another state. 8179

(2) The applicant has satisfactory work experience, a 8180  
government certification, or a private certification as 8181  
described in that chapter as an educator providing supplemental 8182  
instruction in a state that does not issue that license. 8183

**Sec. 3327.10.** (A) Except as provided in division (L) of 8184  
this section, no person shall be employed as driver of a school 8185  
bus or motor van, owned and operated by any school district or 8186  
educational service center or privately owned and operated under 8187  
contract with any school district or service center in this 8188  
state, who has not received a certificate from either the 8189  
educational service center governing board that has entered into 8190  
an agreement with the school district under section 3313.843 or 8191

3313.845 of the Revised Code or the superintendent of the school district, certifying that such person is at least eighteen years of age and is qualified physically and otherwise for such position. The service center governing board or the superintendent, as the case may be, shall provide for an annual physical examination that conforms with rules adopted by the ~~state board~~ department of education and workforce of each driver to ascertain the driver's physical fitness for such employment. The examination shall be performed by one of the following:

(1) A person licensed under Chapter 4731. or 4734. of the Revised Code or by another state to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;

(2) A physician assistant;

(3) A certified nurse practitioner;

(4) A clinical nurse specialist;

(5) A certified nurse-midwife;

(6) A medical examiner who is listed on the national registry of certified medical examiners established by the federal motor carrier safety administration in accordance with 49 C.F.R. part 390.

Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D) (1) of this section, or upon a conviction or a guilty plea for a violation, or any other action, that results in a loss or suspension of driving rights. Failure to comply with such division may be cause for disciplinary action or termination of employment under division (C) of section 3319.081, or section 124.34 of the Revised Code.

(B) Except as provided in division (L) of this section, no person shall be employed as driver of a school bus or motor van not subject to the rules of the department ~~of education~~ pursuant to division (A) of this section who has not received a certificate from the school administrator or contractor certifying that such person is at least eighteen years of age and is qualified physically and otherwise for such position. Each driver shall have an annual physical examination which conforms to the state highway patrol rules, ascertaining the driver's physical fitness for such employment. The examination shall be performed by one of the following:

- (1) A person licensed under Chapter 4731. or 4734. of the Revised Code or by another state to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;
- (2) A physician assistant;
- (3) A certified nurse practitioner;
- (4) A clinical nurse specialist;
- (5) A certified nurse-midwife;
- (6) A medical examiner who is listed on the national registry of certified medical examiners established by the federal motor carrier safety administration in accordance with 49 C.F.R. part 390.

Any written documentation of the physical examination shall be completed by the individual who performed the examination.

Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D) (2) of this section.

(C) Any person who drives a school bus or motor van must 8248  
give satisfactory and sufficient bond except a driver who is an 8249  
employee of a school district and who drives a bus or motor van 8250  
owned by the school district. 8251

(D) No person employed as driver of a school bus or motor 8252  
van under this section who is convicted of a traffic violation 8253  
or who has had the person's commercial driver's license 8254  
suspended shall drive a school bus or motor van until the person 8255  
has filed a written notice of the conviction or suspension, as 8256  
follows: 8257

(1) If the person is employed under division (A) of this 8258  
section, the person shall file the notice with the 8259  
superintendent, or a person designated by the superintendent, of 8260  
the school district for which the person drives a school bus or 8261  
motor van as an employee or drives a privately owned and 8262  
operated school bus or motor van under contract. 8263

(2) If employed under division (B) of this section, the 8264  
person shall file the notice with the employing school 8265  
administrator or contractor, or a person designated by the 8266  
administrator or contractor. 8267

(E) In addition to resulting in possible revocation of a 8268  
certificate as authorized by divisions (A) and (B) of this 8269  
section, violation of division (D) of this section is a minor 8270  
misdemeanor. 8271

(F) (1) Not later than thirty days after June 30, 2007, 8272  
each owner of a school bus or motor van shall obtain the 8273  
complete driving record for each person who is currently 8274  
employed or otherwise authorized to drive the school bus or 8275  
motor van. An owner of a school bus or motor van shall not 8276

permit a person to operate the school bus or motor van for the 8277  
first time before the owner has obtained the person's complete 8278  
driving record. Thereafter, the owner of a school bus or motor 8279  
van shall obtain the person's driving record not less frequently 8280  
than semiannually if the person remains employed or otherwise 8281  
authorized to drive the school bus or motor van. An owner of a 8282  
school bus or motor van shall not permit a person to resume 8283  
operating a school bus or motor van, after an interruption of 8284  
one year or longer, before the owner has obtained the person's 8285  
complete driving record. 8286

(2) The owner of a school bus or motor van shall not 8287  
permit a person to operate the school bus or motor van for ten 8288  
years after the date on which the person pleads guilty to or is 8289  
convicted of a violation of section 4511.19 of the Revised Code 8290  
or a substantially equivalent municipal ordinance. 8291

(3) An owner of a school bus or motor van shall not permit 8292  
any person to operate such a vehicle unless the person meets all 8293  
other requirements contained in rules adopted by the ~~state board~~ 8294  
~~of education~~ department prescribing qualifications of drivers of 8295  
school buses and other student transportation. 8296

(G) No superintendent of a school district, educational 8297  
service center, community school, or public or private employer 8298  
shall permit the operation of a vehicle used for pupil 8299  
transportation within this state by an individual unless both of 8300  
the following apply: 8301

(1) Information pertaining to that driver has been 8302  
submitted to the ~~department of education~~, pursuant to procedures 8303  
adopted by that department. Information to be reported shall 8304  
include the name of the employer or school district, name of the 8305  
driver, driver license number, date of birth, date of hire, 8306

status of physical evaluation, and status of training. 8307

(2) The most recent criminal records check required by 8308  
division (J) of this section has been completed and received by 8309  
the superintendent or public or private employer. 8310

(H) A person, school district, educational service center, 8311  
community school, nonpublic school, or other public or nonpublic 8312  
entity that owns a school bus or motor van, or that contracts 8313  
with another entity to operate a school bus or motor van, may 8314  
impose more stringent restrictions on drivers than those 8315  
prescribed in this section, in any other section of the Revised 8316  
Code, and in rules adopted by the ~~state board~~ department. 8317

(I) For qualified drivers who, on July 1, 2007, are 8318  
employed by the owner of a school bus or motor van to drive the 8319  
school bus or motor van, any instance in which the driver was 8320  
convicted of or pleaded guilty to a violation of section 4511.19 8321  
of the Revised Code or a substantially equivalent municipal 8322  
ordinance prior to two years prior to July 1, 2007, shall not be 8323  
considered a disqualifying event with respect to division (F) of 8324  
this section. 8325

(J) (1) This division applies to persons hired by a school 8326  
district, educational service center, community school, 8327  
chartered nonpublic school, or science, technology, engineering, 8328  
and mathematics school established under Chapter 3326. of the 8329  
Revised Code to operate a vehicle used for pupil transportation. 8330

For each person to whom this division applies who is hired 8331  
on or after November 14, 2007, the employer shall request a 8332  
criminal records check in accordance with section 3319.39 of the 8333  
Revised Code and every six years thereafter. For each person to 8334  
whom this division applies who is hired prior to that date, the 8335



employer shall request a criminal records check by a date 8336  
prescribed by the department ~~of education~~ and every six years 8337  
thereafter. 8338

(2) This division applies to persons hired by a public or 8339  
private employer not described in division (J) (1) of this 8340  
section to operate a vehicle used for pupil transportation. 8341

For each person to whom this division applies who is hired 8342  
on or after November 14, 2007, the employer shall request a 8343  
criminal records check prior to the person's hiring and every 8344  
six years thereafter. For each person to whom this division 8345  
applies who is hired prior to that date, the employer shall 8346  
request a criminal records check by a date prescribed by the 8347  
department and every six years thereafter. 8348

(3) Each request for a criminal records check under 8349  
division (J) of this section shall be made to the superintendent 8350  
of the bureau of criminal identification and investigation in 8351  
the manner prescribed in section 3319.39 of the Revised Code, 8352  
except that if both of the following conditions apply to the 8353  
person subject to the records check, the employer shall request 8354  
the superintendent only to obtain any criminal records that the 8355  
federal bureau of investigation has on the person: 8356

(a) The employer previously requested the superintendent 8357  
to determine whether the bureau of criminal identification and 8358  
investigation has any information, gathered pursuant to division 8359  
(A) of section 109.57 of the Revised Code, on the person in 8360  
conjunction with a criminal records check requested under 8361  
section 3319.39 of the Revised Code or under division (J) of 8362  
this section. 8363

(b) The person presents proof that the person has been a 8364

resident of this state for the five-year period immediately 8365  
prior to the date upon which the person becomes subject to a 8366  
criminal records check under this section. 8367

Upon receipt of a request, the superintendent shall 8368  
conduct the criminal records check in accordance with section 8369  
109.572 of the Revised Code as if the request had been made 8370  
under section 3319.39 of the Revised Code. However, as specified 8371  
in division (B) (2) of section 109.572 of the Revised Code, if 8372  
the employer requests the superintendent only to obtain any 8373  
criminal records that the federal bureau of investigation has on 8374  
the person for whom the request is made, the superintendent 8375  
shall not conduct the review prescribed by division (B) (1) of 8376  
that section. 8377

(K) (1) Until the effective date of the amendments to rule 8378  
3301-83-23 of the Ohio Administrative Code required by the 8379  
second paragraph of division (E) of section 3319.39 of the 8380  
Revised Code, any person who is the subject of a criminal 8381  
records check under division (J) of this section and has been 8382  
convicted of or pleaded guilty to any offense described in 8383  
division (B) (1) of section 3319.39 of the Revised Code shall not 8384  
be hired or shall be released from employment, as applicable, 8385  
unless the person meets the rehabilitation standards prescribed 8386  
for nonlicensed school personnel by rule 3301-20-03 of the Ohio 8387  
Administrative Code. 8388

(2) Beginning on the effective date of the amendments to 8389  
rule 3301-83-23 of the Ohio Administrative Code required by the 8390  
second paragraph of division (E) of section 3319.39 of the 8391  
Revised Code, any person who is the subject of a criminal 8392  
records check under division (J) of this section and has been 8393  
convicted of or pleaded guilty to any offense that, under the 8394

rule, disqualifies a person for employment to operate a vehicle 8395  
used for pupil transportation shall not be hired or shall be 8396  
released from employment, as applicable, unless the person meets 8397  
the rehabilitation standards prescribed by the rule. 8398

(L) The superintendent of a school district or an 8399  
educational service center governing board shall issue a 8400  
certificate as a driver of a school bus or motor van or a 8401  
certificate to operate a vehicle used for pupil transportation 8402  
in accordance with Chapter 4796. of the Revised Code to an 8403  
applicant if either of the following applies: 8404

(1) The applicant holds a certificate in another state. 8405

(2) The applicant has satisfactory work experience, a 8406  
government certification, or a private certification as 8407  
described in that chapter as a school bus or motor van driver or 8408  
a pupil transportation vehicle operator in a state that does not 8409  
issue one or both of those certificates. 8410

**Sec. 4709.07.** (A) Each person who desires to obtain an 8411  
initial license to practice barbering shall apply to the state 8412  
cosmetology and barber board, on forms provided by the board. 8413  
The application form shall include the name of the person 8414  
applying for the license and evidence that the applicant meets 8415  
all of the requirements of division (B) of this section. The 8416  
application shall be accompanied by the examination application 8417  
fee. 8418

(B) In order to take the required barber examination and 8419  
to qualify for licensure as a barber, an applicant must 8420  
demonstrate that the applicant meets all of the following: 8421

(1) Is at least eighteen years of age; 8422

(2) Has an eighth grade education or an equivalent 8423  
education as determined by the ~~state board~~ department of 8424  
education and workforce, or equivalent organization in the state 8425  
where the applicant resides; 8426

(3) Has graduated with at least one thousand eight hundred 8427  
hours of training from a board-approved barber school or has 8428  
graduated with at least one thousand hours of training from a 8429  
board-approved barber school in this state and has a current 8430  
cosmetology or hair designer license issued pursuant to Chapter 8431  
4713. of the Revised Code. No hours of instruction earned by an 8432  
applicant five or more years prior to the examination apply to 8433  
the hours of study required by this division. 8434

(C) Any applicant who meets all of the requirements of 8435  
divisions (A) and (B) of this section may take the barber 8436  
examination at the time and place specified by the board. If the 8437  
applicant fails to attain at least a seventy-five per cent pass 8438  
rate on each part of the examination, the applicant is 8439  
ineligible for licensure; however, the applicant may reapply for 8440  
examination within ninety days after the date of the release of 8441  
the examination scores by paying the required reexamination fee. 8442  
An applicant is only required to take that part or parts of the 8443  
examination on which the applicant did not receive a score of 8444  
seventy-five per cent or higher. If the applicant fails to 8445  
reapply for examination within ninety days or fails the second 8446  
examination, in order to reapply for examination for licensure 8447  
the applicant shall complete an additional course of study of 8448  
not less than two hundred hours, in a board-approved barber 8449  
school. The board shall provide to an applicant, upon request, a 8450  
report which explains the reasons for the applicant's failure to 8451  
pass the examination. 8452

(D) The board shall issue a license to practice barbering 8453  
to any applicant who, to the satisfaction of the board, meets 8454  
the requirements of divisions (A) and (B) of this section, who 8455  
passes the required examination, and pays the initial licensure 8456  
fee. Every licensed barber shall display the certificate of 8457  
licensure in a conspicuous place adjacent to or near the 8458  
licensed barber's work chair. 8459

(E) The board shall issue a license to practice barbering 8460  
in accordance with Chapter 4796. of the Revised Code to an 8461  
applicant if either of the following applies: 8462

(1) The applicant holds a license to practice barbering in 8463  
another state. 8464

(2) The applicant has satisfactory work experience, a 8465  
government certification, or a private certification as 8466  
described in that chapter as a barber in a state that does not 8467  
issue that license. 8468

**Sec. 4709.10.** (A) Each person who desires to obtain a 8469  
license to operate a barber school shall apply to the state 8470  
cosmetology and barber board, on forms provided by the board. 8471  
The board shall issue a barber school license to a person if the 8472  
board determines that the person meets and will comply with all 8473  
of the requirements of division (B) of this section and pays the 8474  
required licensure and inspection fees. 8475

(B) In order for a person to qualify for a license to 8476  
operate a barber school, the barber school to be operated by the 8477  
person must meet all of the following requirements: 8478

(1) Have a training facility sufficient to meet the 8479  
required educational curriculum established by the board, 8480  
including enough space to accommodate all the facilities and 8481

equipment required by rule by the board;	8482
(2) Provide sufficient licensed teaching personnel to meet	8483
the minimum pupil-teacher ratio established by rule of the	8484
board;	8485
(3) Have established and provide to the board proof that	8486
it has met all of the board requirements to operate a barber	8487
school, as adopted by rule of the board;	8488
(4) File with the board a program of its curriculum,	8489
accounting for not less than one thousand eight hundred hours of	8490
instruction in the courses of theory and practical demonstration	8491
required by rule of the board;	8492
(5) File with the board a surety bond in the amount of ten	8493
thousand dollars issued by a bonding company licensed to do	8494
business in this state. The bond shall be in the form prescribed	8495
by the board and conditioned upon the barber school's continued	8496
instruction in the theory and practice of barbering. The bond	8497
shall continue in effect until notice of its termination is	8498
provided to the board. In no event, however, shall the bond be	8499
terminated while the barber school is in operation. Any student	8500
who is injured or damaged by reason of a barber school's failure	8501
to continue instruction in the theory and practice of barbering	8502
may maintain an action on the bond against the barber school or	8503
the surety, or both, for the recovery of any money or tuition	8504
paid in advance for instruction in the theory and practice of	8505
barbering which was not received. The aggregate liability of the	8506
surety to all students shall not exceed the sum of the bond.	8507
(6) Maintain adequate record keeping to ensure that it has	8508
met the requirements for records of student progress as required	8509
by board rule;	8510

(7) Establish minimum standards for acceptance of student applicants for admission to the barber school. The barber school may establish entrance requirements which are more stringent than those prescribed by the board, but the requirements must at a minimum require the applicant to meet both of the following:

(a) Be at least seventeen years of age;

(b) Have an eighth grade education, or an equivalent education as determined by the ~~state board~~ department of education and workforce.

(8) Have a procedure to submit every student applicant's admission application to the board for the board's review and approval prior to the applicant's admission to the barber school;

(9) Operate in a manner which reflects credit upon the barbering profession;

(10) Offer a curriculum of study which covers all aspects of the scientific fundamentals of barbering as specified by rule of the board;

(11) Employ no more than two licensed assistant barber teachers for each licensed barber teacher employed or fewer than two licensed teachers or one licensed teacher and one licensed assistant teacher at each facility.

(C) Each person who desires to obtain a barber teacher or assistant barber teacher license shall apply to the board, on forms provided by the board. Except as provided in division (D) of this section, the board shall only issue a barber teacher license to a person who meets all of the following requirements:

(1) Holds a current barber license issued pursuant to this

chapter and has at least eighteen months of work experience in a licensed barber shop or has been employed as an assistant barber teacher under the supervision of a licensed barber teacher for at least one year, unless, for good cause, the board waives this requirement;

(2) Meets such other requirements as adopted by rule by the board;

(3) Passes the required examination; and

(4) Pays the required fees.

Except as provided in division (D) of this section, the board shall only issue an assistant barber teacher license to a person who holds a current barber license issued pursuant to this chapter and pays the required fees.

(D) The board shall issue a barber teacher or assistant barber teacher license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a barber teacher or assistant barber teacher license, as applicable, in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a barber teacher or assistant barber teacher, as applicable, in a state that does not issue the applicable license.

(E) Any person who meets the qualifications of an assistant teacher pursuant to division (C) or (D) of this section, may be employed as an assistant teacher, provided that within five days after the commencement of the employment the barber school submits to the board, on forms provided by the



board, the applicant's qualifications. 8567

**Sec. 4732.10.** (A) The state board of psychology shall 8568  
appoint an entrance examiner who shall determine the sufficiency 8569  
of an applicant's qualifications for admission to the 8570  
appropriate examination. A member of the board or the executive 8571  
director may be appointed as the entrance examiner. 8572

(B) Requirements for admission to examination for a 8573  
psychologist license shall be that the applicant: 8574

(1) Is at least twenty-one years of age; 8575

(2) Meets one of the following requirements: 8576

(a) Received an earned doctoral degree from an institution 8577  
accredited or recognized by a national or regional accrediting 8578  
agency and a program accredited by any of the following: 8579

(i) The American psychological association, office of 8580  
program consultation and accreditation; 8581

(ii) The accreditation office of the Canadian 8582  
psychological association; 8583

(iii) A program listed by the association of state and 8584  
provincial psychology boards/national register designation 8585  
committee; 8586

(iv) The national association of school psychologists. 8587

(b) Received an earned doctoral degree in psychology or 8588  
school psychology from an institution accredited or recognized 8589  
by a national or regional accrediting agency but the program 8590  
does not meet the program accreditation requirements of division 8591  
(B) (2) (a) of this section; 8592

(c) Received from an academic institution outside of the 8593

United States or Canada a degree determined, under rules adopted 8594  
by the board under division (F) of this section, to be 8595  
equivalent to a doctoral degree in psychology from a program 8596  
described in division (B) (2) (a) of this section; 8597

(d) Held a psychologist license, certificate, or 8598  
registration required for practice in a Canadian jurisdiction 8599  
for a minimum of ten years and meets educational, experience, 8600  
and professional requirements established under rules adopted by 8601  
the board. 8602

(3) Has had at least two years of supervised professional 8603  
experience in psychological work of a type satisfactory to the 8604  
board, at least one year of which must be a predoctoral 8605  
internship. The board shall adopt guidelines for the kind of 8606  
supervised professional experience that fulfill this 8607  
requirement. 8608

(4) If applying under division (B) (2) (b) or (c) of this 8609  
section, has had at least two years of supervised professional 8610  
experience in psychological work of a type satisfactory to the 8611  
board, at least one year of which must be postdoctoral. The 8612  
board shall adopt guidelines for the kind of supervised 8613  
professional experience that fulfill this requirement. 8614

(C) Requirements for admission to examination for an 8615  
independent school psychologist license shall be that the 8616  
applicant: 8617

(1) Has received from an educational institution 8618  
accredited or recognized by national or regional accrediting 8619  
agencies as maintaining satisfactory standards, including those 8620  
approved by the state board of education for the training of 8621  
independent school psychologists, at least a master's degree in 8622

school psychology, or a degree considered equivalent by the	8623
board;	8624
(2) Is at least twenty-one years of age;	8625
(3) Has completed at least sixty quarter hours, or the	8626
semester hours equivalent, at the graduate level, of accredited	8627
study in course work relevant to the study of school psychology;	8628
(4) Has completed an internship in an educational	8629
institution approved by the <del>Ohio</del> department of education <u>and</u>	8630
<u>workforce</u> for school psychology supervised experience or one	8631
year of other training experience acceptable to the board, such	8632
as supervised professional experience under the direction of a	8633
licensed psychologist, licensed independent school psychologist,	8634
or licensed school psychologist;	8635
(5) Furnishes proof of at least twenty-seven months,	8636
exclusive of internship, of full-time experience as a	8637
certificated school psychologist employed by a board of	8638
education or a private school meeting the standards prescribed	8639
by the <del>state board</del> <u>director</u> of education <u>and workforce</u> , or of	8640
experience that the board deems equivalent.	8641
(D) Requirements for admission to examination for a school	8642
psychologist shall be that the applicant:	8643
(1) Has received from an educational institution	8644
accredited or recognized by national or regional accrediting	8645
agencies as maintaining satisfactory standards, including those	8646
approved by the state board of education for the training of	8647
school psychologists, at least a master's degree in school	8648
psychology, or a degree considered equivalent by the board;	8649
(2) Is at least twenty-one years of age;	8650

(3) Has completed a nine month, full-time internship in an approved school setting as described in rules adopted by the board.

(E) If the entrance examiner finds that the applicant meets the requirements set forth in this section, the applicant shall be admitted to the appropriate examination.

(F) The board shall adopt under Chapter 119. of the Revised Code rules for determining for the purposes of division (B) (2) (c) of this section whether a degree is equivalent to a degree in psychology from an institution in the United States.

**Sec. 4735.09.** (A) Application for a license as a real estate salesperson shall be made to the superintendent of real estate on forms furnished by the superintendent and signed by the applicant. The application shall be in the form prescribed by the superintendent and shall contain such information as is required by this chapter and the rules of the Ohio real estate commission. The application shall be accompanied by the recommendation of the real estate broker with whom the applicant is associated or with whom the applicant intends to be associated, certifying that the applicant is honest and truthful, and has not been finally adjudged by a court to have violated any municipal, state, or federal civil rights laws relevant to the protection of purchasers or sellers of real estate, which conviction or adjudication the applicant has not disclosed to the superintendent, and recommending that the applicant be admitted to the real estate salesperson examination.

(B) A fee of eighty-one dollars shall accompany the application, which fee includes the fee for the initial year of the licensing period, if a license is issued. The initial year

of the licensing period commences at the time the license is 8681  
issued and ends on the applicant's first birthday thereafter. 8682  
The application fee shall be nonrefundable. A fee of eighty-one 8683  
dollars shall be charged by the superintendent for each 8684  
successive application made by the applicant. One dollar of each 8685  
application fee shall be credited to the real estate education 8686  
and research fund. 8687

(C) There shall be no limit placed on the number of times 8688  
an applicant may retake the examination. 8689

(D) The superintendent, with the consent of the 8690  
commission, may enter into an agreement with a recognized 8691  
national testing service to administer the real estate 8692  
salesperson's examination under the superintendent's supervision 8693  
and control, consistent with the requirements of this chapter as 8694  
to the contents of the examination. 8695

If the superintendent, with the consent of the commission, 8696  
enters into an agreement with a national testing service to 8697  
administer the real estate salesperson's examination, the 8698  
superintendent may require an applicant to pay the testing 8699  
service's examination fee directly to the testing service. If 8700  
the superintendent requires the payment of the examination fee 8701  
directly to the testing service, each applicant shall submit to 8702  
the superintendent a processing fee in an amount determined by 8703  
the Ohio real estate commission pursuant to division (A)(1) of 8704  
section 4735.10 of the Revised Code. 8705

(E) The superintendent shall issue a real estate 8706  
salesperson's license when satisfied that the applicant has 8707  
received a passing score on each portion of the salesperson's 8708  
examination as determined by rule by the real estate commission. 8709

(F) No applicant for a salesperson's license shall take	8710
the salesperson's examination who has not established to the	8711
satisfaction of the superintendent that the applicant:	8712
(1) Is honest and truthful;	8713
(2) (a) Has not been convicted of a disqualifying offense	8714
as determined in accordance with section 9.79 of the Revised	8715
Code;	8716
(b) Has not been finally adjudged by a court to have	8717
violated any municipal, state, or federal civil rights laws	8718
relevant to the protection of purchasers or sellers of real	8719
estate or, if the applicant has been so adjudged, at least two	8720
years have passed since the court decision and the	8721
superintendent has disregarded the adjudication because the	8722
applicant has proven, by a preponderance of the evidence, that	8723
the applicant is honest and truthful, and there is no basis in	8724
fact for believing that the applicant again will violate the	8725
laws involved.	8726
(3) Has not, during any period in which the applicant was	8727
licensed under this chapter, violated any provision of, or any	8728
rule adopted pursuant to this chapter, or, if the applicant has	8729
violated such provision or rule, has established to the	8730
satisfaction of the superintendent that the applicant will not	8731
again violate such provision or rule;	8732
(4) Is at least eighteen years of age;	8733
(5) If born after the year 1950, has a high school diploma	8734
or a certificate of high school equivalence issued <del>by the</del>	8735
<del>department of education</del> <u>under section 3301.80 of the Revised</u>	8736
<u>Code</u> ;	8737

(6) Has successfully completed at an institution of higher education all of the following credit-eligible courses by either classroom instruction or distance education:	8738
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	8740
(a) Forty hours of instruction in real estate practice;	8741
(b) Forty hours of instruction that includes the subjects of Ohio real estate law, municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination. If feasible, the instruction in Ohio real estate law shall be taught by a member of the faculty of an accredited law school. If feasible, the instruction in municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination shall be taught by a staff member of the Ohio civil rights commission who is knowledgeable with respect to those subjects. The requirements of this division do not apply to an applicant who is admitted to practice before the supreme court.	8742
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(c) Twenty hours of instruction in real estate appraisal;	8756
(d) Twenty hours of instruction in real estate finance.	8757
(G) (1) Successful completion of the instruction required by division (F) (6) of this section shall be determined by the law in effect on the date the instruction was completed.	8758
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	8760
(2) Division (F) (6) (c) of this section does not apply to any new applicant who holds a valid Ohio real estate appraiser license or certificate issued prior to the date of application for a real estate salesperson's license.	8761
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(H) Only for noncredit course offerings, an institution of	8765

higher education shall obtain approval from the appropriate 8766  
state authorizing entity prior to offering a real estate course 8767  
that is designed and marketed as satisfying the salesperson 8768  
license education requirements of division (F) (6) of this 8769  
section. The state authorizing entity may consult with the 8770  
superintendent in reviewing the course for compliance with this 8771  
section. 8772

(I) Any person who has not been licensed as a real estate 8773  
salesperson or broker within a four-year period immediately 8774  
preceding the person's current application for the salesperson's 8775  
examination shall have successfully completed the prelicensure 8776  
instruction required by division (F) (6) of this section within a 8777  
ten-year period immediately preceding the person's current 8778  
application for the salesperson's examination. 8779

(J) Not earlier than the date of issue of a real estate 8780  
salesperson's license to a licensee, but not later than twelve 8781  
months after the date of issue of a real estate salesperson 8782  
license to a licensee, the licensee shall submit proof 8783  
satisfactory to the superintendent, on forms made available by 8784  
the superintendent, of the completion of twenty hours of 8785  
instruction that shall be completed in schools, seminars, and 8786  
educational institutions approved by the commission. The 8787  
instruction shall include, but is not limited to, current 8788  
practices relating to commercial real estate, property 8789  
management, short sales, and land contracts; contract law; 8790  
federal and state programs; economic conditions; and fiduciary 8791  
responsibility. Approval of the curriculum and providers shall 8792  
be granted according to rules adopted pursuant to section 8793  
4735.10 of the Revised Code and may be taken through classroom 8794  
instruction or distance education. 8795



If proof of completion of the required instruction is not 8796  
submitted within twelve months of the date a license is issued 8797  
under this section, the licensee's license is suspended 8798  
automatically without the taking of any action by the 8799  
superintendent. The superintendent immediately shall notify the 8800  
broker with whom such salesperson is associated of the 8801  
suspension of the salesperson's license. A salesperson whose 8802  
license has been suspended under this division shall have twelve 8803  
months after the date of the suspension of the salesperson's 8804  
license to submit proof of successful completion of the 8805  
instruction required under this division. No such license shall 8806  
be reactivated by the superintendent until it is established, to 8807  
the satisfaction of the superintendent, that the requirements of 8808  
this division have been met and that the licensee is in 8809  
compliance with this chapter. A licensee's license is revoked 8810  
automatically without the taking of any action by the 8811  
superintendent when the licensee fails to submit the required 8812  
proof of completion of the education requirements under division 8813  
(I) of this section within twelve months of the date the license 8814  
is suspended. 8815

(K) Examinations shall be administered with reasonable 8816  
accommodations in accordance with the requirements of the 8817  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 8818  
U.S.C. 12189. The contents of an examination shall be consistent 8819  
with the classroom instructional requirements of division (F) (6) 8820  
of this section. An applicant who has completed the classroom 8821  
instructional requirements of division (F) (6) of this section at 8822  
the time of application shall be examined no later than twelve 8823  
months after the applicant is notified of the applicant's 8824  
admission to the examination. 8825

(L) Notwithstanding any provision of this chapter or 8826

Chapter 4796. of the Revised Code to the contrary, the 8827  
superintendent shall issue a real estate salesperson's license 8828  
in accordance with Chapter 4796. of the Revised Code to an 8829  
applicant if both of the following apply: 8830

(1) The applicant satisfies the requirements specified in 8831  
section 4796.03, 4796.04, or 4796.05 of the Revised Code, as 8832  
applicable. 8833

(2) The applicant passes an examination on Ohio real 8834  
estate law. 8835

**Sec. 4747.10.** (A) (1) Each person currently engaged in 8836  
training to become a licensed hearing aid dealer or fitter shall 8837  
apply to the state speech and hearing professionals board for a 8838  
hearing aid dealer's and fitter's trainee permit. The board 8839  
shall issue to each applicant within thirty days of receipt of a 8840  
properly completed application and payment of an application fee 8841  
set by the board in rules adopted under section 4747.04 of the 8842  
Revised Code, a trainee permit if such applicant meets all of 8843  
the following criteria: 8844

(a) Is at least eighteen years of age; 8845

(b) Is the holder of a diploma from an accredited high 8846  
school or a certificate of high school equivalence issued by the 8847  
~~department of education~~under section 3301.80 of the Revised 8848  
Code; 8849

(c) Is free of contagious or infectious disease. 8850

(2) The board shall issue a hearing aid dealer's and 8851  
fitter's trainee permit in accordance with Chapter 4796. of the 8852  
Revised Code to an applicant if either of the following applies: 8853

(a) The applicant holds a permit or license in another 8854

state. 8855

(b) The applicant has satisfactory work experience, a 8856  
government certification, or a private certification as 8857  
described in that chapter as a hearing aid dealer and fitter 8858  
trainee in a state that does not issue that permit or license. 8859

(B) The board shall not deny a trainee permit issued under 8860  
this section to any individual based on the individual's past 8861  
criminal history unless the denial is in accordance with section 8862  
9.79 of the Revised Code. 8863

In considering a renewal of an individual's trainee 8864  
permit, the board shall not consider any conviction or plea of 8865  
guilty prior to the issuance of the initial trainee permit. 8866  
However, the board may consider a conviction or plea of guilty 8867  
if it occurred after the individual was initially granted the 8868  
trainee permit, or after the most recent trainee permit renewal. 8869  
The board shall comply with Chapter 119. of the Revised Code 8870  
when denying an individual for a trainee permit or renewal. 8871  
Additionally, the board may grant an individual a conditional 8872  
trainee permit that lasts for one year. After the one-year 8873  
period has expired, the permit is no longer considered 8874  
conditional, and the individual shall be considered to be 8875  
granted a full trainee permit. 8876

(C) Each trainee permit issued by the board expires one 8877  
year from the date it was first issued, and may be renewed once 8878  
if the trainee has not successfully completed the qualifying 8879  
requirements for licensing as a hearing aid dealer or fitter 8880  
before the expiration date of such permit. The board shall issue 8881  
a renewed permit to each applicant upon receipt of a properly 8882  
completed application and payment of a renewal fee set by the 8883  
board in rules adopted under section 4747.04 of the Revised 8884

Code. No person holding a trainee permit shall engage in the 8885  
practice of dealing in or fitting of hearing aids except while 8886  
under supervision by a licensed hearing aid dealer or fitter." 8887  
Delete lines 62621 through 62625 8888  
After line 62625, insert: 8889  
  
**"Section 5.** That existing versions of sections 921.06, 8890  
3301.071, 3309.011, 3319.22, 3319.229, 3319.262, 3319.28, 8891  
3319.361, 3327.10, 4709.07, 4709.10, 4732.10, 4735.09, and 8892  
4747.10 of the Revised Code that are scheduled to take effect 8893  
December 29, 2023, are hereby repealed. 8894  
  
**Section 6.** Sections 4 and 5 of this act take effect 8895  
December 29, 2023." 8896  
In line 62626, delete "5" and insert "7" 8897  
In line 62711, delete "6" and insert "8" 8898  
Delete lines 62719 and 62720 and insert "Section 109.57 of the 8899  
Revised Code as amended by both H.B. 405 and S.B. 288 of the 134th General 8900  
Assembly. 8901  
  
Section 109.572 of the Revised Code as amended by both 8902  
H.B. 509 and S.B. 288 of the 134th General Assembly." 8903  
Delete lines 62729 and 62730 and insert "Section 2901.01 of the 8904  
Revised Code as amended by H.B. 462, S.B. 164, and S.B. 288, all of the 8905  
134th General Assembly. 8906  
  
Section 2903.13 of the Revised Code as amended by H.B. 8907  
281, S.B. 16, and S.B. 288, all of the 134th General Assembly. 8908  
  
Section 2925.01 of the Revised Code as amended by H.B. 8909  
281, H.B. 509, and S.B. 25, all of the 134th General Assembly." 8910  
After line 62738, insert: 8911

"Section 3310.41 of the Revised Code as amended by H.B.	8912
509 and H.B. 554, both of the 134th General Assembly."	8913
Delete lines 62747 and 62748	8914
Delete lines 62751 through 62755 and insert "The version of section	8915
3319.22 of the Revised Code that is scheduled to take effect December 29,	8916
2023, as amended by both H.B. 509 and S.B. 131 of the 134th General	8917
Assembly.	8918
Section 4141.01 of the Revised Code as amended by both	8919
H.B. 110 and H.B. 281 of the 134th General Assembly.	8920
The version of section 4709.07 of the Revised Code that is	8921
scheduled to take effect December 29, 2023, as amended by both	8922
H.B. 509 and S.B. 131 of the 134th General Assembly.	8923
The version of section 4709.10 of the Revised Code that is	8924
scheduled to take effect December 29, 2023, as amended by both	8925
H.B. 509 and S.B. 131 of the 134th General Assembly.	8926
The version of section 4732.10 of the Revised Code that is	8927
scheduled to take effect December 29, 2023, as amended by both	8928
H.B. 509 and S.B. 131 of the 134th General Assembly."	8929

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 8930

**LSC technical amendment** 8931

<b>R.C. 109.57, 109.572, 109.71, 921.06, 2901.01, 2903.13,</b>	8932
<b>2925.01, 2953.34, 3301.071, 3301.221, 3309.011, 3310.41,</b>	8933
<b>3313.618, 3314.05, 3317.011, 3317.0212, 3319.073, 3319.22,</b>	8934

3319.229, 3319.262, 3319.28, 3319.361, 3319.60, 3323.01,	8935
3327.10, 3701.507, 4112.12, 4141.01, 4508.01, 4511.21, 4709.07,	8936
4709.10, 4732.10, 4735.09, 4747.10, 4757.41, 4779.13, 5104.015,	8937
5104.30, and 5703.21	8938
Updates out-of-date Revised Code sections in the bill and	8939
makes other technical changes.	8940