

Sub. H.B. 33
As Passed by the Senate
DASCD45

_____ moved to amend as follows:

In line 649 of the title, after the semicolon insert "to
amend section 128.01, 128.02, 128.021, 128.022, 128.03, 128.06,
128.07, 128.08, 128.12, 128.18, 128.22, 128.25, 128.26, 128.27,
128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461,
128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63,
128.99, 149.43, 4776.20, 5703.052, 5733.55, and 5751.01; to amend,
for the purpose of adopting new section numbers as indicated in
parentheses, sections 128.18 (128.33), 128.22 (128.35), 128.25
(128.37), 128.26 (128.38), 128.27 (128.39), 128.32 (128.96),
128.34 (128.98), 128.40 (128.20), 128.42 (128.40), and 128.45
(128.451); to enact new sections 128.22, 128.25, 128.26, 128.27,
128.42, and 128.45 and sections 128.05, 128.21, 128.211, 128.212,
128.221, 128.23, 128.24, 128.241, 128.242, 128.243, 128.28,
128.41, 128.412, 128.413, 128.414, 128.419, 128.421, 128.422, and
128.43; and to repeal sections 128.04, 128.09, 128.15, 128.571,
4742.01, 4742.02, 4742.03, 4742.04, 4742.05, 4742.06, and 4742.07
of the Revised Code;"

After line 171908, insert:

"**Section 130.60.** That sections 128.01, 128.02, 128.021,
128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22,
128.25, 128.26, 128.27, 128.32, 128.34, 128.40, 128.42, 128.44,

128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 128.55, 22
 128.57, 128.60, 128.63, 128.99, 149.43, 4776.20, 5703.052, 23
 5733.55, and 5751.01 be amended; sections 128.18 (128.33), 128.22 24
 (128.35), 128.25 (128.37), 128.26 (128.38), 128.27 (128.39), 25
 128.32 (128.96), 128.34 (128.98), 128.40 (128.20), 128.42 26
 (128.40), and 128.45 (128.451) be amended for the purpose of 27
 adopting new section numbers as indicated in parentheses; and new 28
 sections 128.22, 128.25, 128.26, 128.27, 128.42, and 128.45 and 29
 sections 128.05, 128.21, 128.211, 128.212, 128.221, 128.23, 30
 128.24, 128.241, 128.242, 128.243, 128.28, 128.41, 128.412, 31
 128.413, 128.414, 128.419, 128.422, and 128.43 of the Revised Code 32
 be enacted to read as follows: 33

Sec. 128.01. As used in this chapter: 34

(A) "9-1-1 system" means a system through which individuals 35
 can request emergency service using the ~~telephone~~ access number 36
 9-1-1. 37

(B) "Basic 9-1-1" means ~~a 9-1-1~~ an emergency telephone system 38
~~in~~ to which all of the following apply: 39

(1) The system automatically connects a caller ~~provides~~ 40
~~information on the nature of and the location of an emergency, and~~ 41
~~the personnel receiving the call must determine the appropriate~~ 42
~~emergency service provider to respond at that location~~ to a 43
designated public safety answering point. 44

(2) Call routing is determined by a central office only. 45

(3) Automatic number identification and automatic location 46
information may or may not be supported. 47

(C) "Enhanced 9-1-1" means ~~a 9-1-1~~ an emergency telephone 48
~~system capable of providing both enhanced wireline 9-1-1 and~~ 49
~~wireless enhanced 9-1-1~~ that includes both of the following: 50

<u>(1) Network switching;</u>	51
<u>(2) Database- and public-safety-answering-point premise</u>	52
<u>elements capable of providing automatic location identification</u>	53
<u>data, selective routing, selective transfer, fixed transfer, and a</u>	54
<u>call back number.</u>	55
(D) "Enhanced wireline 9-1-1" means a 9-1-1 system in which	56
the wireline telephone network, in providing wireline 9-1-1, does	57
either of the following:	58
(1) Automatically routes the call to emergency service	59
providers that serve the location from which the call is made and	60
immediately provides to personnel answering the 9-1-1 call	61
information on the location and the telephone number from which	62
the call is being made;	63
(2) Receives, develops, collects, or processes requests for	64
emergency assistance and relays, transfers, operates, maintains,	65
or provides emergency notification services or system	66
capabilities.	67
(E) "Wireless enhanced 9-1-1" means a 9-1-1 system that, in	68
providing wireless 9-1-1, has the capabilities of phase I and, to	69
the extent available, phase II enhanced 9-1-1 services as	70
described in 47 C.F.R. 20.18 (d) to (h).	71
(F)(1) "Wireless service" means federally licensed commercial	72
mobile service as defined in 47 U.S.C. 332(d) and further defined	73
as commercial mobile radio service in 47 C.F.R. 20.3, and includes	74
service provided by any wireless, two-way communications device,	75
including a radio-telephone communications line used in cellular	76
telephone service or personal communications service, a network	77
radio access line, or any functional or competitive equivalent of	78
such a radio-telephone communications or network radio access	79

line.	80
(2) Nothing in this chapter applies to paging or any service that cannot be used to call <u>or contact</u> 9-1-1.	81 82
(G) "Wireless service provider" means a facilities-based provider of <u>any of the following that provides</u> wireless service to one or more end users in this state:	83 84 85
<u>(1) A facilities-based provider;</u>	86
<u>(2) A mobile virtual network operator;</u>	87
<u>(3) A mobile other licensed operator.</u>	88
(H) "Wireless 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireless service provider.	89 90 91
(I) "Wireline 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireline service provider.	92 93 94
(J) "Wireline service provider" means a facilities-based provider of wireline service to one or more end-users <u>end users</u> in this state.	95 96 97
(K) "Wireline service" means basic local exchange service, as defined in section 4927.01 of the Revised Code, that is transmitted by means of interconnected wires or cables by a wireline service provider authorized by the public utilities commission.	98 99 100 101 102
(L) "Wireline telephone network" means the selective router and data base processing systems, trunking and data wiring cross connection points at the public safety answering point, and all other voice and data components of the 9-1-1 system.	103 104 105 106
(M) "Subdivision" means a county, municipal corporation,	107

township, township fire district, joint fire district, township
 police district, joint police district, joint ambulance district,
 or joint emergency medical services district that provides
 emergency service within its territory, or that contracts with
 another municipal corporation, township, or district or with a
 private entity to provide such service; and a state college or
 university, port authority, or park district of any kind that
 employs law enforcement officers that act as the primary police
 force on the grounds of the college or university or port
 authority or in the parks operated by the district.

(N) "Emergency service" means emergency law enforcement,
 firefighting, ambulance, rescue, and medical service.

(O) "Emergency service provider" means the state highway
 patrol and an emergency service department or unit of a
 subdivision or that provides emergency service to a subdivision
 under contract with the subdivision.

(P) "Public safety answering point" means ~~a facility to which~~
an entity responsible for receiving requests for emergency
services sent by dialing 9-1-1 system calls for within a specific
specified territory are initially routed for response and where
~~personnel respond to specific and processing those requests for~~
emergency service by services according to a specific operational
policy that includes directly dispatching the appropriate
 emergency service provider, relaying a message to the appropriate
emergency service provider, or transferring the call request for
emergency services to the appropriate emergency service provider.
A public safety answering point may be either of the following:

(1) Located in a specific facility;

(2) Virtual, if telecommunicators are geographically
dispersed and do not work from the same facility. The virtual

workplace may be a logical combination of physical facilities, an 138
alternate work environment such as a satellite facility, or a 139
combination of the two. Workers may be connected and interoperate 140
via internet-protocol connectivity. 141

(Q) "Customer premises equipment" means telecommunications 142
equipment, including telephone instruments, on the premises of a 143
public safety answering point that is used in answering and 144
responding to 9-1-1 system calls. 145

(R) "Municipal corporation in the county" includes any 146
municipal corporation that is wholly contained in the county and 147
each municipal corporation located in more than one county that 148
has a greater proportion of its territory in the county to which 149
the term refers than in any other county. 150

(S) "Board of county commissioners" includes the legislative 151
authority of a county established under Section 3 of Article X, 152
Ohio Constitution, or Chapter 302. of the Revised Code. 153

(T) "Final plan" means a final plan adopted under division 154
(B) of section 128.08 of the Revised Code and, except as otherwise 155
expressly provided, an amended final plan adopted under section 156
128.12 of the Revised Code. 157

(U) "Subdivision served by a public safety answering point" 158
means a subdivision that provides emergency service for any part 159
of its territory that is located within the territory of a public 160
safety answering point whether the subdivision provides the 161
emergency service with its own employees or pursuant to a 162
contract. 163

(V) A township's population includes only population of the 164
unincorporated portion of the township. 165

(W) "Telephone company" means a company engaged in the 166

business of providing local exchange telephone service by making
available or furnishing access and a dial tone to persons within a
local calling area for use in originating and receiving voice
grade communications over a switched network operated by the
provider of the service within the area and gaining access to
other telecommunications services. Unless otherwise specified,
"telephone company" includes a wireline service provider, a
wireless service provider, and any entity that is a covered 9-1-1
service provider under 47 C.F.R. 12.4. For purposes of sections
~~128.25~~ 128.37 and ~~128.26~~ 128.38 of the Revised Code, "telephone
company" means a wireline service provider.

(X) "Prepaid wireless calling service" has the same meaning
as in division (AA)(5) of section 5739.01 of the Revised Code.

(Y) "Provider of a prepaid wireless calling service" means a
wireless service provider that provides a prepaid wireless calling
service.

(Z) "Retail sale" has the same meaning as in section 5739.01
of the Revised Code.

(AA) "Seller" means a person that sells a prepaid wireless
calling service to another person by retail sale.

(BB) "Consumer" means the ~~person~~ end user for whom the
prepaid wireless calling service is provided, to whom the transfer
effected or license given by a sale is or is to be made or given,
to whom the prepaid wireless calling service is charged, or to
whom the admission is granted.

(CC) "Reseller" means a nonfacilities-based provider of
wireless service that provides wireless service under its own name
to one or more end users in this state using the network of a
wireless service provider.

(DD) "Steering committee" means the statewide emergency services internet protocol network 9-1-1 steering committee established by division (A)(1) of section 128.02 of the Revised Code.

(EE) "Next generation 9-1-1" means an internet-protocol-based system comprised of managed emergency services internet protocol networks, functional elements, and databases that replicate traditional enhanced 9-1-1 features and functions and provide additional capabilities.

(FF) "Emergency services internet-protocol network" means a managed internet-protocol network that is used for emergency services communications and provides the internet-protocol transport infrastructure upon which independent application platforms and core services can be deployed, including those necessary for providing next generation 9-1-1 services. The term designates the network and not the services that ride on the network.

(GG) "9-1-1 system service provider" means a company or entity engaged in the business of providing all or part of the emergency services internet-protocol network, software applications, hardware, databases, customer premises equipment components and operations, and management procedures required to support basic 9-1-1, enhanced 9-1-1, enhanced wireline 9-1-1, wireless enhanced 9-1-1, or next generation 9-1-1 systems.

(HH) "Voice over internet protocol" means technologies for the delivery of voice communications and multimedia sessions over internet-protocol networks, including private networks or the internet.

(II) "Multiline telephone system" means a system to which both of the following apply:

(1) The system consists of common control units, telephone sets, control hardware and software, and adjunct systems, including network and premises-based systems. 226
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(2) The system is designed to aggregate more than one incoming voice communication channel for use by more than one telephone. 229
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(JJ) "Business service user" means a user of business service that provides telecommunications service, including 9-1-1 service, to end users through a publicly or privately owned or controlled telephone switch. 232
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(KK) "Emergency response location" means an additional location identification that provides a specific location. It may include information regarding a specific location within a building, structure, complex, or campus, including a building name, floor number, wing name or number, unit name or number, room name or number, or office or cubicle name or number. 236
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(LL) "Operator of a multiline telephone system" means an entity to which both of the following apply: 242
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(1) The entity manages or operates a multiline telephone system through which an end user may initiate communication using the 9-1-1 system. 244
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(2) The entity owns, leases, or rents a multiline telephone system through which an end user may initiate communication using the 9-1-1 system. 247
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(MM) "Core services" means the base set of services needed to process a 9-1-1 call on an emergency services internet-protocol network. It includes all of the following: 250
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(1) Emergency services routing proxy; 253

(2) Emergency call routing function; 254

(3) Location validation function; 255

(4) Border control function; 256

(5) Bridge, policy-store, and logging services; 257

(6) Typical internet-protocol services such as domain name system and dynamic host configuration protocol. 258
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The term includes the services and not the network on which they operate. 260
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(NN) "Bill and keep arrangements" has the same meaning as in 47 C.F.R. 51.713. 262
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Sec. 128.02. (A)(1) There is hereby created the statewide emergency services internet protocol network 9-1-1 steering committee, consisting of the following ten members: 264
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(a) The state chief information officer or the officer's designee; 267
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(b) Two members of the house of representatives appointed by the speaker, one from the majority party and one from the minority party; 269
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(c) Two members of the senate appointed by the president, one from the majority party and one from the minority party; 272
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(d) Five members appointed by the governor. 274

(2) In appointing the five members under division (A)(1)(d) of this section, the governor shall appoint two representatives of the county commissioners' association of Ohio or a successor organization, two representatives of the Ohio municipal league or a successor organization, and one representative of the Ohio township association or a successor organization. For each of 275
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these appointments, the governor shall consider a nominee proposed 281
 by the association or successor organization. The governor may 282
 reject any of the nominees and may request that a nominating 283
 entity submit alternative nominees. 284

~~(3) Initial appointments shall be made not later than ten 285
 days after September 28, 2012. 286~~

(B)(1) The state chief information officer or the officer's 287
 designee shall serve as the chairperson of the steering committee 288
 and shall be a nonvoting member. All other members shall be voting 289
 members. 290

(2) A member of the steering committee appointed from the 291
 membership of the senate or the house of representatives shall 292
 serve during the member's term as a member of the general assembly 293
 and until a successor is appointed and qualified, notwithstanding 294
 adjournment of the general assembly or the expiration of the 295
 member's term as a member of the general assembly. 296

(3) The initial terms of one of the representatives of the 297
 county commissioners' association of Ohio, one of the 298
 representatives of the Ohio municipal league, and the 299
 representative of the Ohio township association shall all expire 300
 on December 31, 2016. The initial terms of the other 301
 representatives of the county commissioners' association of Ohio 302
 and the Ohio municipal league shall expire on December 31, 2014. 303
 Thereafter, terms of the members appointed by the governor shall 304
 be for four years, with each term ending on the same day of the 305
 same month as the term it succeeds. Each member appointed by the 306
 governor shall hold office from the date of the member's 307
 appointment until the end of the term for which the member was 308
 appointed, and may be reappointed. A member appointed by the 309
 governor shall continue in office after the expiration date of the 310

member's term until the member's successor takes office or until a 311
 period of sixty days has elapsed, whichever occurs first. Members 312
 appointed by the governor shall serve without compensation and 313
 shall not be reimbursed for expenses. 314

(4) A vacancy in the position of any member of the steering 315
 committee shall be filled for the unexpired term in the same 316
 manner as the original appointment. 317

(C) The steering committee shall generally advise the state 318
 on the implementation, operation, and maintenance of a statewide 319
 emergency services internet protocol network ~~that would support~~ 320
~~state and local government, statewide next-generation next~~ 321
generation 9-1-1 core-services system, and the dispatch of 322
 emergency service providers. The steering committee shall do all 323
 of the following: 324

(1) ~~On or before May 15, 2013, deliver an initial report to~~ 325
~~the speaker of the house of representatives, the president of the~~ 326
~~senate, and the governor providing recommendations for the state~~ 327
~~to address the development of a statewide emergency services~~ 328
~~internet protocol network, which recommendations shall include a~~ 329
~~review of the current funding model for this state's 9-1-1 systems~~ 330
~~and may include a recommendation for a reduction in wireless 9-1-1~~ 331
~~charges;~~ 332

~~(2)~~ Examine the readiness of the state's current technology 333
 infrastructure for a statewide emergency services internet 334
 protocol network; 335

~~(3)~~(2) Research legislative authority with regard to 336
 governance and funding of a statewide emergency services internet 337
 protocol network, and provide recommendations on best practices to 338
 limit duplicative efforts to ensure an effective transition to 339
~~next-generation next generation 9-1-1;~~ 340

~~(4)~~(3) Make Where feasible, make recommendations for 341
 consolidation of public-safety-answering-point operations in this 342
 state, ~~including recommendations for accelerating the~~ 343
~~consolidation schedule established in section 128.571 of the~~ 344
~~Revised Code,~~ to accommodate ~~next-generation~~ next generation 9-1-1 345
 technology and to facilitate a more efficient and effective 346
 emergency services system; 347

~~(5)~~(4) Recommend policies, procedures, and statutory or 348
 regulatory authority to effectively govern a statewide ~~emergency~~ 349
~~services internet protocol network~~ next generation 9-1-1 system; 350

~~(6)~~(5) Designate a ~~next-generation~~ next generation 9-1-1 351
 statewide coordinator to serve as the primary point of contact for 352
 federal initiatives; 353

~~(7)~~(6) Coordinate with statewide initiatives and associations 354
 such as the state interoperable executive committee, the Ohio 355
 geographically referenced information program council, the Ohio 356
 multi-agency radio communications system steering committee, and 357
 other interested parties; 358

~~(8)~~(7) Serve as the entity responsible for the administration 359
 of Chapter 128. of the Revised Code. 360

(D)(1) A 9-1-1 service provider shall provide to the steering 361
 committee: 362

(a) The aggregate number of access lines that the provider 363
 maintains within the state of Ohio; 364

(b) The aggregate amount of costs and cost recovery 365
 associated with providing 9-1-1 service, including coverage under 366
 tariffs and bill and keep arrangements within this state; 367

(c) Any other information requested by the steering committee 368
 deemed necessary to support the transition to next generation 369

9-1-1.	370
(2) Any political subdivision or governmental entity	371
operating a public safety answering point shall provide to the	372
steering committee:	373
(a) The geographic location and population of the area for	374
which the planning committee <u>entity</u> is responsible;	375
(b) Statistics detailing the number of 9-1-1 calls received;	376
(c) A report of expenditures made from disbursements for	377
9-1-1;	378
(d) An inventory of and the technical specifications for the	379
current 9-1-1 network and equipment;	380
(e) Any other information requested by the steering committee	381
that is deemed necessary to support the transition to next	382
generation 9-1-1.	383
(3) The information requested under divisions (D)(1) and (2)	384
of this section shall be provided by the 9-1-1 service provider,	385
political subdivision, or governmental entity within forty-five	386
days of the request of the steering committee.	387
(E) The steering committee shall hold its inaugural meeting	388
not later than thirty days after September 28, 2012. Thereafter,	389
the steering committee shall meet at least once a month <u>quarter</u> ,	390
either in person or utilizing telecommunication-conferencing	391
technology. A majority of the voting members shall constitute a	392
quorum.	393
(F)(1) The steering committee shall have a permanent	394
technical-standards subcommittee and a permanent	395
public-safety-answering-point-operations subcommittee, and may,	396
from time to time, establish additional subcommittees, to advise	397

and assist the steering committee based upon the subcommittees' 398
areas of expertise. The subcommittees may meet either in person or 399
utilizing telecommunication-conferencing technology. A majority of 400
the voting members shall constitute a quorum. 401

(2) The membership of subcommittees shall be determined by 402
the steering committee. 403

(a) The technical-standards subcommittee shall include one 404
member representing a wireline or wireless service provider that 405
participates in the state's 9-1-1 system, one representative of 406
the Ohio academic resources network, one representative of the 407
Ohio multi-agency radio communications system steering committee, 408
one representative of the Ohio geographically referenced 409
information program, and one member representing each of the 410
following associations selected by the steering committee from 411
nominations received from that association: 412

(i) The Ohio telephone association; 413

(ii) The Ohio chapter of the association of public-safety 414
communications officials; 415

(iii) The Ohio chapter of the national emergency number 416
association. 417

(b) The public-safety-answering-point-operations subcommittee 418
shall include one member representing the division of emergency 419
management of the department of public safety, one member 420
representing the state highway patrol, one member representing the 421
division of emergency medical services of the department of public 422
safety, two members recommended by the county commissioners' 423
association of Ohio who are managers of public safety answering 424
points, two members recommended by the Ohio municipal league who 425
are managers of public safety answering points, and one member 426

from each of the following associations selected by the steering 427
committee from nominations received from that association: 428

(i) The buckeye state sheriffs' association; 429

(ii) The Ohio association of chiefs of police; 430

(iii) The Ohio ~~association of~~ fire chiefs association; 431

(iv) The Ohio chapter of the association of public-safety 432
communications officials; 433

(v) The Ohio chapter of the national emergency number 434
association. 435

(G) The committee is not an agency, as defined in section 436
101.82 of the Revised Code, for purposes of sections 101.82 to 437
101.87 of the Revised Code. 438

~~(H) As used in this section, "9-1-1 system," "wireless 439
service provider," "wireline service provider," "emergency service 440
provider," and "public safety answering point" have the same 441
meanings as in section 128.01 of the Revised Code. 442~~

~~(I) As used in this section, "bill and keep arrangements" has 443
the same meaning as in 47 C.F.R. 51.713. 444~~

Sec. 128.021. (A) Not later than January 1, 2014, and in 445
accordance with Chapter 119. of the Revised Code, the steering 446
committee shall adopt rules that establish technical and 447
operational standards for public safety answering points eligible 448
to receive disbursements under section 128.55 of the Revised Code. 449
The rules shall incorporate industry standards and best practices 450
for ~~wireless~~ 9-1-1 services. Public safety answering points shall 451
comply with the standards not later than two years after the 452
effective date of the rules adopting the standards. A public 453
safety answering point may be deemed compliant with rules for 454

minimum staffing standards, if it can demonstrate compliance with 455
all other rules for operational standards. 456

(B) Not later than one year after September 29, 2015, and in 457
accordance with Chapter 119. of the Revised Code, the steering 458
committee shall conduct an assessment of the operational standards 459
for public safety answering points developed under division (A) of 460
this section and revise the standards as necessary to ensure that 461
the operational standards contain the following: 462

(1) Policies to ensure that public safety answering point 463
personnel prioritize life-saving questions in responding to each 464
call to a 9-1-1 system established under this chapter; 465

(2) A requirement that all public safety answering point 466
personnel complete proper training or provide proof of prior 467
training to give instructions regarding emergency situations. 468

(C) Upon the effective date of the amendments to this section 469
by this act, all public safety answering points that answer 9-1-1 470
calls for service from wireless services shall be subject to the 471
public safety answering point operations rules. Public safety 472
answering points not originally required to be compliant shall 473
comply with the standards not later than two years after the 474
effective date of the amendments to this section by this act. 475

Sec. 128.022. (A) The steering committee shall establish 476
guidelines for the tax commissioner to use when disbursing money 477
from the ~~next-generation~~ 9-1-1 government assistance fund to 478
countywide 9-1-1 systems in the state, as well as guidelines for 479
the use of funds from the next generation 9-1-1 fund. The 480
guidelines shall be consistent with the standards adopted in 481
section 128.021 of the Revised Code and shall specify that 482
disbursements may be used for costs associated with the operation 483

of and equipment for phase II wireless systems and for costs 484
 associated with a county's migration to next generation 9-1-1 485
 systems and technology. The committee shall periodically review 486
the guidelines described in this division and adjust them as 487
needed. 488

(B) The committee shall report any adjustments to the 489
guidelines described in division (A) of this section to the 490
department of taxation. The adjustments shall take effect six 491
months from the date the department is notified of the 492
adjustments. 493

Sec. 128.03. ~~(A)(1)~~(A) A countywide 9-1-1 system shall 494
 include all of the territory of the townships and municipal 495
 corporations in the county and any portion of such a municipal 496
 corporation that extends into an adjacent county. 497

~~(2) The system shall exclude any territory served by a~~ 498
~~wireline service provider that is not capable of reasonably~~ 499
~~meeting the technical and economic requirements of providing the~~ 500
~~wireline telephone network portion of the countywide system for~~ 501
~~that territory. The system shall exclude from enhanced 9-1-1 any~~ 502
~~territory served by a wireline service provider that is not~~ 503
~~capable of reasonably meeting the technical and economic~~ 504
~~requirements of providing the wireline telephone network portion~~ 505
~~of enhanced 9-1-1 for that territory. If a 9-1-1 planning~~ 506
~~committee and a wireline service provider do not agree on whether~~ 507
~~the provider is so capable, the planning committee shall notify~~ 508
~~the steering committee, and the steering committee shall determine~~ 509
~~whether the wireline service provider is so capable. The planning~~ 510
~~committee shall ascertain whether such disagreement exists before~~ 511
~~making its implementation proposal under division (A) of section~~ 512

~~128.07 of the Revised Code. The steering committee's determination shall be in the form of an order. No final plan shall require a wireline service provider to provide the wireline telephone network portion of a 9-1-1 system that the steering committee has determined the provider is not reasonably capable of providing.~~

(B) A countywide 9-1-1 system may be ~~a basic or~~ an enhanced or next generation 9-1-1 system, or a combination of the two, and shall be ~~for the purpose of providing both wireline 9-1-1 and wireless 9-1-1~~ designed to provide access to emergency services from all connected communications sources.

~~(C)(1)~~ (1) Every emergency service provider that provides emergency service within the territory of a countywide 9-1-1 system shall participate in the countywide system.

(2) A countywide 9-1-1 system may be provided directly by the county, by a regional council of governments, or by connecting directly to the statewide next generation 9-1-1 system for call routing and core services.

(D)(1) Each public safety answering point shall be operated by a subdivision or a regional council of governments and shall be operated constantly.

(2) A subdivision or a regional council of governments that operates a public safety answering point shall pay all of the costs associated with establishing, equipping, furnishing, operating, and maintaining that facility and shall allocate those costs among itself and the subdivisions served by the answering point based on the allocation formula in a final plan. The wireline service provider or other entity that provides or maintains the customer premises equipment shall bill the operating subdivision or the operating regional council of governments for the cost of providing such equipment, or its maintenance. A

wireless service provider and a subdivision or regional council of governments operating a public safety answering point may enter into a service agreement for providing wireless enhanced 9-1-1 pursuant to a final plan adopted under this chapter. 543
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(E) Except to the extent provided in a final plan that provides for funding of a 9-1-1 system in part through charges imposed under section ~~128.22~~128.35 of the Revised Code, each subdivision served by a public safety answering point shall pay the subdivision or regional council of governments that operates the answering point the amount computed in accordance with the allocation formula set forth in the final plan. 547
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(F) Notwithstanding any other provision of law, the purchase or other acquisition, installation, and maintenance of the telephone network for a 9-1-1 system and the purchase or other acquisition, installation, and maintenance of customer premises equipment at a public safety answering point made in compliance with a final plan ~~or an agreement under section 128.09 of the Revised Code~~, including customer premises equipment used to provide wireless enhanced 9-1-1, are not subject to any requirement of competitive bidding. 554
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(G) Each emergency service provider participating in a countywide 9-1-1 system shall maintain a telephone number in addition to 9-1-1. 563
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~~(H) Whenever a final plan provides for the implementation of basic 9-1-1, the planning committee shall so notify the steering committee, which shall determine whether the wireline service providers serving the territory covered by the plan are capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system. The determination shall be made solely for purposes~~ 566
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~~of division (C)(2) of section 128.18 of the Revised Code.~~ 573

~~(I)~~ If the public safety answering point personnel reasonably 574
determine that a 9-1-1 call is not an emergency, the personnel 575
shall provide the caller with the telephone number of an 576
appropriate subdivision agency as applicable. 577

~~(J)~~(I) A final plan adopted under this chapter, ~~or an~~ 578
~~agreement under section 128.09 of the Revised Code,~~ may provide 579
that, by further agreement included in the plan ~~or agreement,~~ the 580
state highway patrol or one or more public safety answering points 581
of another 9-1-1 system is the public safety answering point or 582
points for the provision of wireline or wireless 9-1-1 for all or 583
part of the territory of the 9-1-1 system established under the 584
plan ~~or agreement.~~ In that event, the subdivision for which the 585
wireline or wireless 9-1-1 is provided as named in the agreement 586
shall be deemed the subdivision operating the public safety 587
answering point or points for purposes of this chapter, except 588
that, for the purpose of division (D)(2) of this section, that 589
subdivision shall pay only so much of the costs of establishing, 590
equipping, furnishing, operating, or maintaining any such public 591
safety answering point as are specified in the agreement with the 592
patrol or other system. 593

~~(K)~~(J) A final plan for the provision of wireless enhanced 594
9-1-1 shall provide that any wireless 9-1-1 calls routed to a 595
state highway patrol-operated public safety answering point by 596
default, due to a wireless service provider so routing all such 597
calls of its subscribers without prior permission, are instead to 598
be routed as provided under the plan. Upon the implementation of 599
countywide wireless enhanced 9-1-1 pursuant to a final plan, the 600
state highway patrol shall cease any functioning as a public 601
safety answering point providing wireless 9-1-1 within the 602
territory covered by the countywide 9-1-1 system so established, 603

unless the patrol functions as a public safety answering point 604
 providing wireless enhanced 9-1-1 pursuant to an agreement 605
 included in the plan as authorized under division ~~(J)~~(I) of this 606
 section. 607

Sec. 128.05. Each county shall appoint a county 9-1-1 608
coordinator to serve as the administrative coordinator for all 609
public safety answering points participating in the countywide 610
9-1-1 final plan described in section 128.03 of the Revised Code 611
and shall also serve as a liaison with other county coordinators 612
and the 9-1-1 program office. 613

Sec. 128.06. (A) ~~A board of~~ Except as provided in divisions 614
~~(B) and (C) of this section, every county commissioners or the~~ 615
~~legislative authority of any municipal corporation in the county~~ 616
~~that contains at least thirty per cent of the county's population~~ 617
~~may adopt a resolution to convene~~ shall maintain a county 9-1-1 618
~~planning~~ program review committee, which shall serve without 619
 compensation and shall consist of ~~three~~ six voting members as 620
 follows: 621

(1) ~~The president or other presiding officer~~ A member of the 622
 board of county commissioners, or a designee, who shall serve as 623
 chairperson of the committee; 624

(2) The chief executive officer of the most populous 625
 municipal corporation in the county; 626

(3) ~~From the more populous of the following, either the chief~~ 627
~~executive officer of the second most populous municipal~~ 628
~~corporation in the county or a~~ A member of the board of township 629
 trustees of the most populous township in the county as selected 630
 by majority vote of the board of trustees. 631

~~In counties with a population of one hundred seventy five thousand or more, the planning committee shall consist of two additional voting members as follows: a;~~ 632
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~~(4) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt, and the chief executive officer;~~ 635
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~~(5) A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;~~ 638
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~~(6) An elected official from within the county appointed by the board of county commissioners.~~ 642
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When determining population under ~~this~~ division (A)(2) of this section, population residing outside the county shall be excluded. 644
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(B) In counties with fewer than five townships, a population in excess of seven hundred fifty thousand, and which contains more than one public safety answering point, the composition of the 9-1-1 program review committee shall consist of five members as follows: 647
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(1) A member of the board of county commissioners, or a designee, who shall serve as chairperson of the committee; 652
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(2) The chief executive officer of the most populous municipal corporation in the county. Population residing outside the county shall be excluded when making this determination. 654
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656

(3) A member from one of the following, whichever is more populous: 657
658

(a) The chief executive officer of the second most populous 659

municipal corporation in the county;

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(b) A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

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(4) The chief executive officer of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;

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(5) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt.

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~~Within thirty days after the adoption of a resolution to convene the~~ (C) In counties that contain only one public safety answering point, the composition of the 9-1-1 review committee shall consist of three members as follows:

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(1) If the public safety answering point is not operated by the board of county commissioners, the committee shall be composed of the following:

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(a) A member of the board of county commissioners, or the member's designee, who shall serve as chairperson of the committee;

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(b) One of the following:

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(i) If the public safety answering point is operated by a township, then a member of the board of township trustees;

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(ii) If the public safety answering point is operated by a municipal corporation, then the chief executive officer of the municipal corporation;

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(iii) If the public safety answering point is operated by a

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subdivision that is not a township or municipal corporation or is 688
operated by a regional council of governments, then an elected 689
official of that subdivision or regional council of governments. 690

(c) A member who is an elected official of the most populous 691
township or municipal corporation in the county that does not 692
operate the public safety answering point. When determining 693
population under this division, population residing outside the 694
county shall be excluded. 695

(2) If the public safety answering point is operated by the 696
board of county commissioners, then the board of county 697
commissioners shall serve as the 9-1-1 program review committee. 698

(D) Each committee under division (A) of this section, the 699
committee shall convene for the sole purpose of developing 700
maintain and amend a final plan for implementing and operating a 701
countywide 9-1-1 system. The Any amendment to the final plan shall 702
require a two-thirds vote of the committee. Each committee shall 703
convene at least once annually for the purposes of maintaining or 704
amending a final plan described in this section. 705

(E) Each committee shall, not later than the first day of 706
March of each year, submit a report to the political subdivisions 707
within the county and to the 9-1-1 program office detailing the 708
sources and amounts of revenue expended to support and all costs 709
incurred to operate the countywide 9-1-1 system and the public 710
safety answering points that are a part of that system for the 711
previous calendar year. A county shall provide the county's 712
committee with any clerical, legal, and other staff assistance 713
necessary to develop the final plan and shall pay for copying, 714
mailing, and any other such expenses incurred by the committee in 715
developing the final plan and in meeting the requirements imposed 716
by sections 128.06 to 128.08 of the Revised Code. 717

~~(C) The 9-1-1 planning committee shall appoint a 9-1-1 technical advisory committee to assist it in planning the countywide 9-1-1 system. The advisory committee shall include at least one fire chief and one police chief serving in the county, the county sheriff, a representative of the state highway patrol selected by the patrol, one representative of each telephone company in each case selected by the telephone company represented, the director/coordinator of emergency management appointed under section 5502.26, 5502.27, or 5502.271 of the Revised Code, as appropriate, and a member of a board of township trustees of a township in the county selected by a majority of boards of township trustees in the county pursuant to resolutions they adopt.~~

Sec. 128.07. ~~(A) The 9-1-1 planning committee shall prepare a proposal on the implementation of a countywide 9-1-1 system and shall hold a public meeting on the proposal to explain the system to and receive comments from public officials. At least thirty but not more than sixty days before the meeting, the committee shall send a copy of the implementation proposal and written notice of the meeting:~~

~~(1) To the board of county commissioners, the legislative authority of each municipal corporation in the county, and to the board of trustees of each township in the county, either by certified mail or, if the committee has record of an internet identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record; and~~

~~(2) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.~~

~~(B) The proposal and the final plan adopted by the committee~~ 748
required under section 128.06 of the Revised Code shall specify: 749

(1) Which telephone companies serving customers in the county 750
and, as authorized in division ~~(A)(1)(A)~~ of section 128.03 of the 751
Revised Code, in an adjacent county will participate in the 9-1-1 752
system; 753

(2) The location and number of public safety answering 754
points; ~~how they~~ the public safety answering points will be 755
connected to a ~~company's telephone network~~ county's preferred next 756
generation 9-1-1 system; from what geographic territory each 757
public safety answering point will receive 9-1-1 calls; whether 758
~~basic or~~ enhanced 9-1-1 or next generation 9-1-1 service will be 759
provided within such territory; what subdivisions will be served 760
by the public safety answering point; and whether ~~an~~ a public 761
safety answering point will respond to calls by directly 762
dispatching an emergency service provider, by relaying a message 763
to the appropriate emergency service provider, or by transferring 764
the call to the appropriate emergency service provider; 765

(3) How originating service providers must connect to the 766
core 9-1-1 system identified by the final plan and what methods 767
will be utilized by the originating service providers to provide 768
9-1-1 voice, text, other forms of messaging media, and caller 769
location to the core 9-1-1 system; 770

(4) That in instances where a public safety answering point, 771
even if capable, does not directly dispatch all entities that 772
provide the emergency services potentially needed for an incident, 773
without significant delay, that request shall be transferred or 774
the information electronically relayed to the entity that directly 775
dispatches the potentially needed emergency services; 776

(5) Which subdivision or regional council of governments will 777

establish, equip, furnish, operate, and maintain a particular 778
public safety answering point; 779

~~(4)~~(6) A projection of the initial cost of establishing, 780
equipping, and furnishing and of the annual cost of the first five 781
years of operating and maintaining each public safety answering 782
point; 783

~~(5)~~(7) Whether the cost of establishing, equipping, 784
furnishing, operating, or maintaining each public safety answering 785
point should be funded through charges imposed under section 786
~~128.22~~128.35 of the Revised Code or will be allocated among the 787
subdivisions served by the answering point and, if any such cost 788
is to be allocated, the formula for so allocating it; 789

~~(6)~~(8) How each emergency service provider will respond to a 790
misdirected call or the provision of a caller location that is 791
either misrepresentative of the actual location or does not meet 792
requirements of the federal communications commission or other 793
accepted national standards as they exist on the date of the call 794
origination. 795

~~(C) Following the meeting required by this section, the 9 1 1 796
planning committee may modify the implementation proposal and, no 797
later than nine months after the resolution authorized by section 798
128.06 of the Revised Code is adopted, may adopt, by majority 799
vote, a final plan for implementing a countywide 9 1 1 system. If 800
a planning committee and wireline service provider do not agree on 801
whether the wireline service provider is capable of providing the 802
wireline telephone network as described under division (A) of 803
section 128.03 of the Revised Code and the planning committee 804
refers that question to the steering committee, the steering 805
committee may extend the nine month deadline established by this 806
division to twelve months. Immediately on completion of the plan, 807~~

~~the planning~~ (B)(1) The 9-1-1 program review committee shall send 808
a copy of the final plan: 809

~~(1)(a)~~ To the board of county commissioners of the county, to 810
the legislative authority of each municipal corporation in the 811
county, and to the board of township trustees of each township in 812
the county either by certified mail or, if the committee has 813
record of an internet identifier of record associated with the 814
board or legislative authority, by ordinary mail and by that 815
internet identifier of record; and 816

~~(2)(b)~~ To the board of trustees, directors, or park 817
commissioners of each subdivision that will be served by a public 818
safety answering point under the plan. 819

~~(D)(2)~~ The 9-1-1 program review committee shall file a copy 820
of its current final plan with the Ohio 9-1-1 program office not 821
later than six months after the effective date of this amendment. 822
Any revisions or amendments shall be filed not later than ninety 823
days after adoption. 824

(C) As used in this section, "internet identifier of record" 825
has the same meaning as in section 9.312 of the Revised Code. 826

Sec. 128.08. (A) Within sixty days after receipt of the final 827
plan pursuant to division ~~(C)~~(B)(1) of section 128.07 of the 828
Revised Code, the board of county commissioners of the county and 829
the legislative authority of each municipal corporation in the 830
county and of each township whose territory is proposed to be 831
included in a countywide 9-1-1 system shall act by resolution to 832
approve or disapprove the plan, except that, with respect to a 833
final plan that provides for funding of the 9-1-1 system in part 834
through charges imposed under section ~~128.22~~128.35 of the Revised 835
Code, the board of county commissioners shall not act by 836

resolution to approve or disapprove the plan until after a 837
 resolution adopted under section ~~128.22~~128.35 of the Revised Code 838
 has become effective as provided in division (D) of that section. 839
~~A municipal corporation or township whose territory is proposed to~~ 840
~~be included in the system includes any municipal corporation or~~ 841
~~township in which a part of its territory is excluded pursuant to~~ 842
~~division (A)(2) of section 128.03 of the Revised Code. Each such~~ 843
 authority immediately shall notify the board of county 844
 commissioners in writing of its approval or disapproval of the 845
 final plan. Failure by a board or legislative authority to notify 846
 the board of county commissioners of approval or disapproval 847
 within such sixty-day period shall be deemed disapproval by the 848
 board or authority. 849

(B) As used in this division, "county's population" excludes 850
 the population of any municipal corporation or township that, 851
 under the plan, is completely excluded from 9-1-1 service in the 852
 county's final plan. A countywide plan is effective if all of the 853
 following entities approve the plan in accordance with this 854
 section: 855

(1) The board of county commissioners; 856

(2) The legislative authority of a municipal corporation that 857
 contains at least thirty per cent of the county's population, if 858
 any; 859

(3) The legislative authorities of municipal corporations and 860
 townships that contain at least sixty per cent of the county's 861
 population or, if the plan has been approved by a municipal 862
 corporation that contains at least sixty per cent of the county's 863
 population, by the legislative authorities of municipal 864
 corporations and townships that contain at least seventy-five per 865
 cent of the county's population. 866

(C) After a countywide plan approved in accordance with this section is adopted, all of the telephone companies, subdivisions, and regional councils of governments included in the plan are subject to the specific requirements of the plan and to this chapter.

Sec. 128.12. (A) An amended final plan is required for any of the following purposes:

(1) Expanding the territory included in the countywide 9-1-1 system;

(2) Upgrading any part or all of a the countywide 9-1-1 system ~~from basic to enhanced wireline 9-1-1~~;

(3) Adjusting the territory served by a public safety answering point;

(4) Permitting a regional council of governments to operate a public safety answering point;

(5) Represcribing the funding of public safety answering points as between the alternatives set forth in division ~~(B)-(5)-(A)(7)~~ of section 128.07 of the Revised Code;

(6) Providing for wireless enhanced 9-1-1;

(7) Adding, changing, or removing a ~~telephone company 9-1-1 system service provider~~ as a participant in a the countywide 9-1-1 system ~~after the implementation of wireline 9-1-1 or wireless enhanced 9-1-1~~;

(8) Providing that the state highway patrol or one or more public safety answering points of another 9-1-1 system function as a public safety answering point or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the system established under the final plan, as contemplated under

division ~~(J)~~(I) of section 128.03 of the Revised Code; 895

(9) Making any other necessary adjustments to the plan. 896

~~(B)(1) To amend a final plan for the purpose described in 897
division (A)(7) of this section, an entity that wishes to be added 898
as a participant in a 9-1-1 system shall file a written letter of 899
that intent with the board of county commissioners of the county 900
that approved the final plan. The final plan is deemed amended 901
upon the filing of that letter. The entity that files the letter 902
shall send written notice of that filing to all subdivisions, 903
regional councils of governments, and telephone companies 904
participating in the system. 905~~

~~(2)~~ An amendment to a final plan for any other purpose set 906
forth in division (A) of this section may be made by an addendum 907
approved by a majority of the 9-1-1 ~~planning~~ program review 908
committee. The board of county commissioners shall call a meeting 909
of the 9-1-1 ~~planning~~ program review committee for the purpose of 910
considering an addendum pursuant to this division. 911

~~(3)~~(2) Adoption of any resolution under section ~~128.22~~128.35 912
of the Revised Code pursuant to a final plan that both has been 913
adopted and provides for funding through charges imposed under 914
that section is not an amendment of a final plan for the purpose 915
of this division. 916

(C) When a final plan is amended for a purpose described in 917
division (A)(1), (2), or (7) of this section, sections 918
~~128.18~~128.35 and 5733.55 of the Revised Code apply with respect to 919
the receipt of the nonrecurring and recurring rates and charges 920
for the wireline telephone network portion of the 9-1-1 system. 921

Sec. ~~128.40~~128.20. There is hereby created within the 922
department of administrative services the 9-1-1 program office, 923

headed by an administrator in the unclassified civil service 924
 pursuant to division (A)(9) of section 124.11 of the Revised Code. 925
 The administrator shall be appointed by and serve at the pleasure 926
 of the director of administrative services ~~and shall report~~ 927
~~directly to the state chief information officer.~~ The program 928
 office shall oversee administration of the ~~wireless~~ 9-1-1 929
 government assistance fund, the ~~wireless~~ 9-1-1 program fund, and 930
 the next generation 9-1-1 fund. 931

Sec. 128.21. (A) The 9-1-1 program office shall coordinate 932
and manage a statewide next generation 9-1-1 core services system. 933
The office shall interoperate the system with Canada and the 934
states that border this state. The office shall also manage the 935
vendors supplying the equipment and services for the system to the 936
department of administrative services. 937

(B)(1) The statewide next generation 9-1-1 core services 938
system shall be capable of providing 9-1-1 core services for all 939
of the territory of all the counties within this state, over both 940
land and water. The system shall route all 9-1-1 traffic using 941
location and policy-based routing to legacy enhanced 9-1-1 public 942
safety answering points, next generation 9-1-1 public safety 943
answering points, and local next generation 9-1-1 systems. The 944
system shall be designed to provide access to emergency services 945
from all connected communications sources and provide multimedia 946
data capabilities for public safety answering points and other 947
emergency service organizations. 948

(2) The emergency services internet protocol network that 949
supports the statewide next generation 9-1-1 core services system 950
shall be capable of being shared by all public safety agencies. It 951
may be constructed from a mix of dedicated and shared facilities. 952

It may be interconnected at local, regional, state, federal, national, and international levels to form an internet-protocol-based inter-network, or network of networks.

Sec. 128.211. (A) Not later than six months after the effective date of this section, the 9-1-1 program office shall draft, submit, or update a state of Ohio 9-1-1 plan to the steering committee. The plan shall include all of the following:

(1) A specific plan to address the amendments to this chapter by this act;

(2) Specific system details describing interoperability among counties, the states bordering this state, and Canada;

(3) A progression plan for the system and sustainability within the funding method encompassed by sections 128.41 to 128.422 of the Revised Code.

(B) Not later than six months after the plan is submitted under division (A) of this section, the steering committee shall review and may approve the plan.

Sec. 128.212. (A) Any entity in this state that operates a 9-1-1 system, emergency services internet-protocol network, or public safety answering point and that pursues a 9-1-1 grant from the state or federal government shall present a letter of coordination from the 9-1-1 program office.

(B) The letter of coordination shall state all of the following:

(1) The entity described in division (A) of this section;

(2) The specific grantor identification;

(3) The dollar amount of the grant;

(4) The intended use of the grant; 980

(5) The system, equipment, software, or any component to be 981
procured with the grant and the purpose of the grant do not 982
inhibit, conflict, or reduce interoperability with the statewide 983
next generation 9-1-1 core services system and emergency services 984
internet-protocol network and is consistent with the state of Ohio 985
9-1-1 plan. 986

Sec. 128.22. The 9-1-1 program office may do all of the 987
following: 988

(A) Expend funds from the 9-1-1 program fund for the purposes 989
of 9-1-1 public education; 990

(B) Coordinate, adopt, and communicate all necessary 991
technical and operational standards and requirements to ensure an 992
effective model for a statewide interconnected 9-1-1 system; 993

(C) Collect and distribute data from and to public safety 994
answering points, service providers, and emergency service 995
providers regarding both of the following: 996

(1) The status and operation of the components of the 997
statewide 9-1-1 system, including all of the following: 998

(a) The aggregate number of access lines that the provider 999
maintains within this state; 1000

(b) The aggregate amount of costs and cost recovery 1001
associated with providing 9-1-1 service, including coverage under 1002
tariffs and bill and keep arrangements within this state; 1003

(c) Any other information requested by the steering committee 1004
and deemed necessary to support the transition to next generation 1005
9-1-1. 1006

<u>(2) Location information necessary for the reconciliation and</u>	1007
<u>synchronization of next generation 9-1-1 location information,</u>	1008
<u>including all of the following:</u>	1009
<u>(a) Address location information;</u>	1010
<u>(b) Master street address guide;</u>	1011
<u>(c) Service order inputs;</u>	1012
<u>(d) Geographic information system files;</u>	1013
<u>(e) Street center lines;</u>	1014
<u>(f) Response boundaries;</u>	1015
<u>(g) Administrative boundaries;</u>	1016
<u>(h) Address points.</u>	1017
<u>(D) Require, coordinate, oversee, and limit data collection</u>	1018
<u>and distribution to ensure that data collection and distribution</u>	1019
<u>meets legal privacy and confidentiality requirements;</u>	1020
<u>(E) With advice from the 9-1-1 steering committee, enter into</u>	1021
<u>interlocal contracts, interstate contracts, intrastate contracts,</u>	1022
<u>and federal contracts for the purpose of implementing statewide</u>	1023
<u>9-1-1 services.</u>	1024
<u>Sec. 128.221. (A) The data described in section 128.22 of the</u>	1025
<u>Revised Code shall be protected in accordance with applicable</u>	1026
<u>provisions of the Revised Code. Charges, terms, and conditions for</u>	1027
<u>the disclosure or use of that data provided by public safety</u>	1028
<u>answering points, service providers, and emergency service</u>	1029
<u>providers for the purpose of 9-1-1 shall be subject to the</u>	1030
<u>jurisdiction of the steering committee.</u>	1031
<u>(B) Data and information that contribute to more effective</u>	1032
<u>9-1-1 services and emergency response may be accessed and shared</u>	1033

among 9-1-1 and emergency response functions specifically for the 1034
purposes of effective emergency response, while ensuring the 1035
overall privacy and confidentiality of the data and information 1036
involved. 1037

Sec. 128.23. (A) Every telecommunication service provider 1038
able to generate 9-1-1 traffic within the state shall do all of 1039
the following: 1040

(1) Register with the 9-1-1 program office; 1041

(2) Provide a single point of contact to the 9-1-1 program 1042
office who has the authority to assist in location-data 1043
discrepancies, including 9-1-1 traffic misroutes and 1044
no-record-found errors; 1045

(3) Provide location data for all 9-1-1 traffic with the 1046
accuracy and validity necessary to ensure proper routing to the 1047
most appropriate public safety answering point or local next 1048
generation 9-1-1 system. Provision of this location data may 1049
include both of the following: 1050

(a) Preprovisioning of location data into a state-operated 1051
database utilizing industry standard protocols; 1052

(b) Providing a routable location with the 9-1-1 traffic at 1053
call time, utilizing approved standards for both legacy and next 1054
generation 9-1-1. 1055

(B) If a service provider subject to division (A) of this 1056
section is notified by the 9-1-1 program office of a discrepancy 1057
in location data, the service provider shall correct the 1058
discrepancy within seventy-two hours. 1059

(C) All data provided under this section is private and 1060
subject to applicable privacy laws and shall not be considered a 1061

<u>"public record" for purposes of section 149.43 of the Revised</u>	1062
<u>Code.</u>	1063
<u>Sec. 128.24. (A) Except as provided in division (C) of this</u>	1064
<u>section:</u>	1065
<u>(1) Each operator of a multiline telephone system that was</u>	1066
<u>installed or substantially renovated on or after the effective</u>	1067
<u>date of this section, shall provide to the end user the same level</u>	1068
<u>of 9-1-1 service that is provided to other end users of 9-1-1</u>	1069
<u>within the state. That service shall include the provision of</u>	1070
<u>either of the following, which shall satisfy the requirements of</u>	1071
<u>division (A)(3) of this section:</u>	1072
<u>(a) Legacy automatic number identification and automatic</u>	1073
<u>location identification;</u>	1074
<u>(b) Next generation 9-1-1 location data.</u>	1075
<u>(2) Each operator of a multiline telephone system that was</u>	1076
<u>installed or substantially renovated on or after the effective</u>	1077
<u>date of this section, shall provide an emergency-response-location</u>	1078
<u>identifier as part of the location transmission to the public</u>	1079
<u>safety answering point, using either legacy private-switch</u>	1080
<u>automatic location identification or next generation 9-1-1</u>	1081
<u>methodologies.</u>	1082
<u>(3) Each operator of a multiline telephone system that was</u>	1083
<u>installed or substantially renovated on or after the effective</u>	1084
<u>date of this section, shall identify the specific location of the</u>	1085
<u>caller using an emergency response location that includes the</u>	1086
<u>public street address of the building from which the call</u>	1087
<u>originated, a suite or room number, the building floor, and a</u>	1088
<u>building identifier, if applicable.</u>	1089

(B) All locations provided under this section shall be either 1090
master-street-address-guide or 1091
next-generation-9-1-1-location-validation-function valid. 1092

(C) The requirements of divisions (A)(1), (2), and (3) of 1093
this section do not apply to a multiline telephone system in a 1094
workspace of less than seven thousand square feet in a single 1095
building, on a single level of a structure, having a single public 1096
street address. 1097

Sec. 128.241. Beginning not later than one year after the 1098
effective date of this section and except as provided in sections 1099
128.242 and 128.243 of the Revised Code, a business service user 1100
that provides residential or business facilities, owns or controls 1101
a multiline telephone system or voice over internet protocol 1102
system in those facilities, and provides outbound dialing capacity 1103
from those facilities shall ensure both of the following: 1104

(A) In the case of a multiline telephone system that is 1105
capable of initiating a 9-1-1 call, the system is connected to the 1106
public switched telephone network in such a way that when an 1107
individual using the system dials 9-1-1, the call connects to the 1108
public safety answering point without requiring the user to dial 1109
any additional digit or code. 1110

(B) The system is configured to provide notification of any 1111
9-1-1 call made through the system to a centralized location on 1112
the same site as the system. The business service user is not 1113
required to have a person available at the location to receive a 1114
notification. 1115

Sec. 128.242. Except as provided in section 128.243 of the 1116
Revised Code, a business service user to which all of the 1117

<u>following apply is exempt from the requirements of section 128.241</u>	1118
<u>of the Revised Code until two years after the effective date of</u>	1119
<u>this section:</u>	1120
<u>(A) The requirements would be unduly and unreasonably</u>	1121
<u>burdensome.</u>	1122
<u>(B) The multiline telephone system or voice over internet</u>	1123
<u>protocol system needs to be reprogrammed or replaced.</u>	1124
<u>(C) The business service user made a good-faith attempt to</u>	1125
<u>reprogram or replace the system.</u>	1126
<u>(D) The business service user agrees to place an</u>	1127
<u>instructional sticker next to the telephones that explains how to</u>	1128
<u>access 9-1-1 in case of emergency, provides the specific location</u>	1129
<u>where the device is installed, and reminds the caller to give the</u>	1130
<u>location information to the 9-1-1 call taker.</u>	1131
<u>(E) The instructions described in division (D) of this</u>	1132
<u>section are printed in at least sixteen-point boldface type in a</u>	1133
<u>contrasting color using a font that is easily readable.</u>	1134
<u>(F) The business service user affirms in an affidavit the</u>	1135
<u>conditions specified in divisions (B), (C), (D), and (E) of this</u>	1136
<u>section.</u>	1137
<u>(G) The affidavit described in division (F) of this section</u>	1138
<u>includes the manufacturer and model number of the system.</u>	1139
<u>Sec. 128.243. Sections 128.241 and 128.242 of the Revised</u>	1140
<u>Code shall not apply if they are preempted by or in conflict with</u>	1141
<u>federal law.</u>	1142
<u>Sec. 128.25. Each county shall provide a single point of</u>	1143
<u>contact to the 9-1-1 program office who has the authority to</u>	1144

assist in location-data discrepancies, 9-1-1 traffic misroutes, 1145
and boundary disputes between public safety answering points. 1146

Sec. 128.26. Not later than five years after the date that 1147
the statewide next generation 9-1-1 core services system is 1148
operationally available to all counties in the state, each county 1149
or, as applicable, each regional council of governments, shall 1150
provide next generation 9-1-1 service for all areas to be covered 1151
as set forth in the county's final plan or the council's 1152
agreement. 1153

Sec. 128.27. A service provider that operates within a county 1154
that participates in the statewide next generation 9-1-1 core 1155
services system or within the area served by a regional council of 1156
governments that participates in that system shall deliver the 1157
9-1-1 traffic that originates in that geographic area to the next 1158
generation 9-1-1 core for that geographic area. 1159

Sec. 128.28. If a service provider or county participates in 1160
the statewide next generation 9-1-1 core services system, the 1161
service provider or county shall adhere to standards of the 9-1-1 1162
program office, which may include standards created by the 1163
national emergency number association and the internet engineering 1164
task force. 1165

Sec. ~~128.18~~128.33. (A) In accordance with this chapter and 1166
Chapters 4901., 4903., 4905., and 4909. of the Revised Code, the 1167
public utilities commission shall determine the just, reasonable, 1168
and compensatory rates, tolls, classifications, charges, or 1169
rentals to be observed and charged for the wireline telephone 1170
network portion of a basic or enhanced 9-1-1 system, and each 1171

telephone company that is a wireline service provider 1172
 participating in the system shall be subject to those chapters, to 1173
 the extent they apply, as to the service provided by its portion 1174
 of the wireline telephone network for the system as described in 1175
 the final plan ~~or to be installed pursuant to agreements under~~ 1176
~~section 128.09 of the Revised Code~~, and as to the rates, tolls, 1177
 classifications, charges, or rentals to be observed and charged 1178
 for that service. 1179

(B) Only the customers of a participating telephone company 1180
 described in division (A) of this section that are served within 1181
 the area covered by a 9-1-1 system shall pay the recurring rates 1182
 for the maintenance and operation of the company's portion of the 1183
 wireline telephone network of the system. Such rates shall be 1184
 computed by dividing the total monthly recurring rates set forth 1185
 in the company's schedule as filed in accordance with section 1186
 4905.30 of the Revised Code, by the total number of residential 1187
 and business customer access lines, or their equivalent, within 1188
 the area served. Each residential and business customer within the 1189
 area served shall pay the recurring rates based on the number of 1190
 its residential and business customer access lines or their 1191
 equivalent. No company shall include such amount on any customer's 1192
 bill until the company has completed its portion of the wireline 1193
 telephone network in accordance with the terms, conditions, 1194
 requirements, and specifications of the final plan ~~or an agreement~~ 1195
~~made under section 128.09 of the Revised Code~~. 1196

(C)(1) Except as otherwise provided in division (C)(2) of 1197
 this section, a participating telephone company described in 1198
 division (A) of this section may receive through the credit 1199
 authorized by section 5733.55 of the Revised Code the total 1200
 nonrecurring charges for its portion of the wireline telephone 1201
 network of the system and the total nonrecurring charges for any 1202

updating or modernization of that wireline telephone network in 1203
accordance with the terms, conditions, requirements, and 1204
specifications of the final plan ~~or pursuant to agreements under~~ 1205
~~section 128.09 of the Revised Code~~, as such charges are set forth 1206
in the schedule filed by the telephone company in accordance with 1207
section 4905.30 of the Revised Code. However, that portion, 1208
updating, or modernization shall not be for or include the 1209
provision of wireless 9-1-1. As applicable, the receipt of 1210
permissible charges shall occur only upon the completion of the 1211
installation of the network or the completion of the updating or 1212
modernization. 1213

(2) The credit shall not be allowed under division (C)(1) of 1214
this section for the upgrading of a system from basic to enhanced 1215
wireline 9-1-1 if both of the following apply: 1216

(a) The telephone company received the credit for the 1217
wireline telephone network portion of the basic 9-1-1 system now 1218
proposed to be upgraded. 1219

(b) At the time the final plan ~~or agreement pursuant to~~ 1220
~~section 128.09 of the Revised Code~~ calling for the basic 9-1-1 1221
system was agreed to, the telephone company was capable of 1222
reasonably meeting the technical and economic requirements of 1223
providing the wireline telephone network portion of an enhanced 1224
9-1-1 system within the territory proposed to be upgraded, ~~as~~ 1225
~~determined by the steering committee under division (A) or (H) of~~ 1226
~~section 128.03 or division (C) of section 128.09 of the Revised~~ 1227
Code. 1228

(3) If the credit is not allowed under division (C)(2) of 1229
this section, the total nonrecurring charges for the wireline 1230
telephone network used in providing 9-1-1 service, as set forth in 1231
the schedule filed by a telephone company in accordance with 1232

section 4905.30 of the Revised Code, on completion of the 1233
 installation of the network in accordance with the terms, 1234
 conditions, requirements, and specifications of the final plan ~~or~~ 1235
~~pursuant to section 128.09 of the Revised Code~~, shall be paid by 1236
 the municipal corporations and townships with any territory in the 1237
 area in which such upgrade from basic to enhanced 9-1-1 is made. 1238

(D) If customer premises equipment for a public safety 1239
 answering point is supplied by a telephone company that is 1240
 required to file a schedule under section 4905.30 of the Revised 1241
 Code pertaining to customer premises equipment, the recurring and 1242
 nonrecurring rates and charges for the installation and 1243
 maintenance of the equipment specified in the schedule shall 1244
 apply. 1245

Sec. ~~128.22~~128.35. (A)(1) For the purpose of paying the costs 1246
 of establishing, equipping, and furnishing one or more public 1247
 safety answering points as part of a countywide 9-1-1 system 1248
 effective under division (B) of section 128.08 of the Revised Code 1249
 and paying the expense of administering and enforcing this 1250
 section, the board of county commissioners of a county, in 1251
 accordance with this section, may fix and impose, on each lot or 1252
 parcel of real property in the county that is owned by a person, 1253
 municipal corporation, township, or other political subdivision 1254
 and is improved, or is in the process of being improved, 1255
 reasonable charges to be paid by each such owner. The charges 1256
 shall be sufficient to pay only the estimated allowed costs and 1257
 shall be equal in amount for all such lots or parcels. 1258

(2) For the purpose of paying the costs of operating and 1259
 maintaining the answering points and paying the expense of 1260
 administering and enforcing this section, the board, in accordance 1261
 with this section, may fix and impose reasonable charges to be 1262

paid by each owner, as provided in division (A)(1) of this 1263
 section, that shall be sufficient to pay only the estimated 1264
 allowed costs and shall be equal in amount for all such lots or 1265
 parcels. The board may fix and impose charges under this division 1266
 pursuant to a resolution adopted for the purposes of both 1267
 divisions (A)(1) and (2) of this section or pursuant to a 1268
 resolution adopted solely for the purpose of division (A)(2) of 1269
 this section, and charges imposed under division (A)(2) of this 1270
 section may be separately imposed or combined with charges imposed 1271
 under division (A)(1) of this section. 1272

(B) Any board adopting a resolution under this section 1273
 pursuant to a final plan initiating the establishment of a 9-1-1 1274
 system or pursuant to an amendment to a final plan shall adopt the 1275
 resolution within sixty days after the board receives the final 1276
 plan for the 9-1-1 system pursuant to division ~~(C)~~(B)(1) of 1277
 section 128.07 of the Revised Code. The board by resolution may 1278
 change any charge imposed under this section whenever the board 1279
 considers it advisable. Any resolution adopted under this section 1280
 shall declare whether securities will be issued under Chapter 133. 1281
 of the Revised Code in anticipation of the collection of unpaid 1282
 special assessments levied under this section. 1283

(C) The board shall adopt a resolution under this section at 1284
 a public meeting held in accordance with section 121.22 of the 1285
 Revised Code. Additionally, the board, before adopting any such 1286
 resolution, shall hold at least two public hearings on the 1287
 proposed charges. Prior to the first hearing, the board shall 1288
 publish notice of the hearings once a week for two consecutive 1289
 weeks in a newspaper of general circulation in the county or as 1290
 provided in section 7.16 of the Revised Code. The notice shall 1291
 include a listing of the charges proposed in the resolution and 1292
 the date, time, and location of each of the hearings. The board 1293

shall hear any person who wishes to testify on the charges or the
resolution. 1294
1295

(D) No resolution adopted under this section shall be 1296
effective sooner than thirty days following its adoption nor shall 1297
any such resolution be adopted as an emergency measure. The 1298
resolution is subject to a referendum in accordance with sections 1299
305.31 to 305.41 of the Revised Code unless, in the resolution, 1300
the board of county commissioners directs the board of elections 1301
of the county to submit the question of imposing the charges to 1302
the electors of the county at the next primary or general election 1303
in the county occurring not less than ninety days after the 1304
resolution is certified to the board. No resolution shall go into 1305
effect unless approved by a majority of those voting upon it in 1306
any election allowed under this division. 1307

(E) To collect charges imposed under division (A) of this 1308
section, the board of county commissioners shall certify them to 1309
the county auditor of the county who then shall place them upon 1310
the real property duplicate against the properties to be assessed, 1311
as provided in division (A) of this section. Each assessment shall 1312
bear interest at the same rate that securities issued in 1313
anticipation of the collection of the assessments bear, is a lien 1314
on the property assessed from the date placed upon the real 1315
property duplicate by the auditor, and shall be collected in the 1316
same manner as other taxes. 1317

(F) All money collected by or on behalf of a county under 1318
this section shall be paid to the county treasurer of the county 1319
and kept in a separate and distinct fund to the credit of the 1320
county. The fund shall be used to pay the costs allowed in 1321
division (A) of this section and specified in the resolution 1322
adopted under that division. In no case shall any surplus so 1323

collected be expended for other than the use and benefit of the 1324
county. 1325

Sec. ~~128.25~~ 128.37. (A) This section applies only to a county 1326
that meets both of the following conditions: 1327

(1) A final plan for a countywide 9-1-1 system either has not 1328
been approved in the county under section 128.08 of the Revised 1329
Code or has been approved but has not been put into operation 1330
because of a lack of funding; 1331

(2) The board of county commissioners, at least once, has 1332
submitted to the electors of the county the question of raising 1333
funds for a 9-1-1 system under section ~~128.22~~ 128.35, 5705.19, or 1334
5739.026 of the Revised Code, and a majority of the electors has 1335
disapproved the question each time it was submitted. 1336

(B) A board of county commissioners may adopt a resolution 1337
imposing a monthly charge on telephone access lines to pay for the 1338
equipment costs of establishing and maintaining no more than three 1339
public safety answering points of a countywide 9-1-1 system, which 1340
public safety answering points shall be only twenty-four-hour 1341
dispatching points already existing in the county. The resolution 1342
shall state the amount of the charge, which shall not exceed fifty 1343
cents per month, and the month the charge will first be imposed, 1344
which shall be no earlier than four months after the special 1345
election held pursuant to this section. Each residential and 1346
business telephone company customer within the area served by the 1347
9-1-1 system shall pay the monthly charge for each of its 1348
residential or business customer access lines or their equivalent. 1349

Before adopting a resolution under this division, the board 1350
of county commissioners shall hold at least two public hearings on 1351
the proposed charge. Before the first hearing, the board shall 1352

publish notice of the hearings once a week for two consecutive 1353
weeks in a newspaper of general circulation in the county or as 1354
provided in section 7.16 of the Revised Code. The notice shall 1355
state the amount of the proposed charge, an explanation of the 1356
necessity for the charge, and the date, time, and location of each 1357
of the hearings. 1358

(C) A resolution adopted under division (B) of this section 1359
shall direct the board of elections to submit the question of 1360
imposing the charge to the electors of the county at a special 1361
election on the day of the next primary or general election in the 1362
county. The board of county commissioners shall certify a copy of 1363
the resolution to the board of elections not less than ninety days 1364
before the day of the special election. No resolution adopted 1365
under division (B) of this section shall take effect unless 1366
approved by a majority of the electors voting upon the resolution 1367
at an election held pursuant to this section. 1368

In any year, the board of county commissioners may impose a 1369
lesser charge than the amount originally approved by the electors. 1370
The board may change the amount of the charge no more than once a 1371
year. The board may not impose a charge greater than the amount 1372
approved by the electors without first holding an election on the 1373
question of the greater charge. 1374

(D) Money raised from a monthly charge on telephone access 1375
lines under this section shall be deposited into a special fund 1376
created in the county treasury by the board of county 1377
commissioners pursuant to section 5705.12 of the Revised Code, to 1378
be used only for the necessary equipment costs of establishing and 1379
maintaining no more than three public safety answering points of a 1380
countywide 9-1-1 system pursuant to a resolution adopted under 1381
division (B) of this section. In complying with this division, any 1382

county may seek the assistance of the steering committee with 1383
regard to operating and maintaining a 9-1-1 system. 1384

(E) Pursuant to the voter approval required by division (C) 1385
of this section, the final plan for a countywide 9-1-1 system that 1386
will be funded through a monthly charge imposed in accordance with 1387
this section shall be amended by the existing 9-1-1 ~~planning~~ 1388
program review committee, and the amendment of such a final plan 1389
is not an amendment of a final plan for the purpose of division 1390
(A) of section 128.12 of the Revised Code. 1391

Sec. ~~128.26~~ 128.38. (A) This section applies only to a county 1392
that has a final plan for a countywide 9-1-1 system that either 1393
has not been approved in the county under section 128.08 of the 1394
Revised Code or has been approved but has not been put into 1395
operation because of a lack of funding. 1396

(B) A board of county commissioners may adopt a resolution 1397
imposing a monthly charge on telephone access lines to pay for the 1398
operating and equipment costs of establishing and maintaining no 1399
more than one public safety answering point of a countywide 9-1-1 1400
system. The resolution shall state the amount of the charge, which 1401
shall not exceed fifty cents per month, and the month the charge 1402
will first be imposed, which shall be no earlier than four months 1403
after the special election held pursuant to this section. Each 1404
residential and business telephone company customer within the 1405
area of the county served by the 9-1-1 system shall pay the 1406
monthly charge for each of its residential or business customer 1407
access lines or their equivalent. 1408

Before adopting a resolution under this division, the board 1409
of county commissioners shall hold at least two public hearings on 1410
the proposed charge. Before the first hearing, the board shall 1411

publish notice of the hearings once a week for two consecutive 1412
weeks in a newspaper of general circulation in the county or as 1413
provided in section 7.16 of the Revised Code. The notice shall 1414
state the amount of the proposed charge, an explanation of the 1415
necessity for the charge, and the date, time, and location of each 1416
of the hearings. 1417

(C) A resolution adopted under division (B) of this section 1418
shall direct the board of elections to submit the question of 1419
imposing the charge to the electors of the county at a special 1420
election on the day of the next primary or general election in the 1421
county. The board of county commissioners shall certify a copy of 1422
the resolution to the board of elections not less than ninety days 1423
before the day of the special election. No resolution adopted 1424
under division (B) of this section shall take effect unless 1425
approved by a majority of the electors voting upon the resolution 1426
at an election held pursuant to this section. 1427

In any year, the board of county commissioners may impose a 1428
lesser charge than the amount originally approved by the electors. 1429
The board may change the amount of the charge no more than once a 1430
year. The board shall not impose a charge greater than the amount 1431
approved by the electors without first holding an election on the 1432
question of the greater charge. 1433

(D) Money raised from a monthly charge on telephone access 1434
lines under this section shall be deposited into a special fund 1435
created in the county treasury by the board of county 1436
commissioners pursuant to section 5705.12 of the Revised Code, to 1437
be used only for the necessary operating and equipment costs of 1438
establishing and maintaining no more than one public safety 1439
answering point of a countywide 9-1-1 system pursuant to a 1440
resolution adopted under division (B) of this section. In 1441

complying with this division, any county may seek the assistance 1442
of the steering committee with regard to operating and maintaining 1443
a 9-1-1 system. 1444

(E) Nothing in ~~sections 128.01 to 128.34 of the Revised Code~~ 1445
this chapter precludes a final plan adopted in accordance with 1446
those sections from being amended to provide that, by agreement 1447
included in the plan, a public safety answering point of another 1448
countywide 9-1-1 system is the public safety answering point of a 1449
countywide 9-1-1 system funded through a monthly charge imposed in 1450
accordance with this section. In that event, the county for which 1451
the public safety answering point is provided shall be deemed the 1452
subdivision operating the public safety answering point for 1453
purposes of ~~sections 128.01 to 128.34 of the Revised Code~~ this 1454
chapter, except that, for the purpose of division (D) of section 1455
128.03 of the Revised Code, the county shall pay only so much of 1456
the costs associated with establishing, equipping, furnishing, 1457
operating, or maintaining the public safety answering point 1458
specified in the agreement included in the final plan. 1459

(F) Pursuant to the voter approval required by division (C) 1460
of this section, the final plan for a countywide 9-1-1 system that 1461
will be funded through a monthly charge imposed in accordance with 1462
this section, or that will be amended to include an agreement 1463
described in division (E) of this section, shall be amended by the 1464
existing 9-1-1 ~~planning~~ program review committee, and the 1465
amendment of such a final plan is not an amendment of a final plan 1466
for the purpose of division (A) of section 128.12 of the Revised 1467
Code. 1468

Sec. ~~128.27~~ 128.39. (A) As part of its normal monthly billing 1469
process, each telephone company with customers in the area served 1470
by a 9-1-1 system shall bill and collect from those customers any 1471

charge imposed under section ~~128.25~~ 128.37 or ~~128.26~~ 128.38 of the 1472
 Revised Code. The company may list the charge as a separate entry 1473
 on each bill and may indicate on the bill that the charge is made 1474
 pursuant to approval of a ballot issue by county voters. Any 1475
 customer billed by a company for a charge imposed under section 1476
~~128.25~~ 128.37 or ~~128.26~~ 128.38 of the Revised Code is liable to 1477
 the county for the amount billed. The company shall apply any 1478
 partial payment of a customer's bill first to the amount the 1479
 customer owes the company. The company shall keep complete records 1480
 of charges it bills and collects, and such records shall be open 1481
 during business hours for inspection by the county commissioners 1482
 or their agents or employees. If a company fails to bill any 1483
 customer for the charge, it is liable to the county for the amount 1484
 that was not billed. 1485

(B) A telephone company that collects charges under this 1486
 section shall remit the money to the county on a quarterly basis. 1487
 The company may retain three per cent of any charge it collects as 1488
 compensation for the costs of such collection. If a company 1489
 collects charges under this section and fails to remit the money 1490
 to the county as prescribed, it is liable to the county for any 1491
 amount collected and not remitted. 1492

"Sec. ~~128.42~~128.40. (A) ~~There is~~ Ending January 1, 2024, 1493
~~there are~~ hereby imposed ~~a~~ the following wireless 9-1-1 ~~charge of~~ 1494
~~twenty five cents per month as follows~~ charges: 1495

(1) On each wireless telephone number of a wireless service 1496
 subscriber who has a billing address in this state, a charge of 1497
twenty-five cents per month. The subscriber shall pay the wireless 1498
 9-1-1 charge for each such wireless telephone number assigned to 1499
 the subscriber. Each wireless service provider and each reseller 1500
 shall collect the wireless 9-1-1 charge as a specific line item on 1501

each subscriber's monthly bill. The line item shall be expressly
designated "State/Local Wireless-E911 Costs (\$0.25/billed
number)." If a provider bills a subscriber for any wireless
enhanced 9-1-1 costs that the provider may incur, the charge or
amount is not to appear in the same line item as the state/local
line item. If the charge or amount is to appear in its own,
separate line item on the bill, the charge or amount shall be
expressly designated "[Name of Provider] Federal Wireless-E911
Costs."

~~(2)(a) Prior to January 1, 2014, on each subscriber of
prepaid wireless service. A wireless service provider or reseller
shall collect the wireless 9-1-1 charge in either of the following
manners:~~

~~(i) If the subscriber has a positive account balance on the
last day of the month and has used the service during that month,
by reducing that balance not later than the end of the first week
of the following month by twenty five cents or an equivalent
number of airtime minutes;~~

~~(ii) By dividing the total earned prepaid wireless telephone
revenue from sales within this state received by the wireless
service provider or reseller during the month by fifty,
multiplying the quotient by twenty five cents.~~

~~(b) Amounts collected under division (A)(2) of this section
shall be remitted pursuant to division (A)(1) of section 128.46 of
the Revised Code.~~

~~The wireless 9-1-1 charges authorized under this section
shall not be imposed on a subscriber of wireless lifeline service
or a provider of that service.~~

~~(B) Beginning January 1, 2014:~~

~~(1) There is hereby imposed, on~~ (2) On each retail sale of a 1531
prepaid wireless calling service occurring in this state, a 1532
wireless 9-1-1 charge of five-tenths of one per cent of the sale 1533
price. 1534

~~(2)(B)~~ For purposes of division ~~(B)(1)(A)(2)~~ of this section, 1535
a retail sale occurs in this state if it is effected by the 1536
consumer appearing in person at a seller's business location in 1537
this state, or if the sale is sourced to this state under division 1538
(E)(3) of section 5739.034 of the Revised Code, except that under 1539
that division, in lieu of sourcing a sale under division (C)(5) of 1540
section 5739.033 of the Revised Code, the seller, rather than the 1541
service provider, may elect to source the sale to the location 1542
associated with the mobile telephone number. 1543

~~(3)(a)(C)(1)~~ Except as provided in division ~~(B)(4)(e)(D)(3)~~ 1544
of this section, the seller of the prepaid wireless calling 1545
service shall collect the charge imposed under division (A) of 1546
this section from the consumer at the time of each retail sale and 1547
disclose the amount of the charge to the consumer at the time of 1548
the sale by itemizing the charge on the receipt, invoice, or 1549
similar form of written documentation provided to the consumer. 1550

~~(b)(2)~~ The seller that collects the charge imposed under 1551
division (A) of this section shall comply with the reporting and 1552
remittance requirements under section 128.46 of the Revised Code. 1553

~~(4)(D)~~ When a prepaid wireless calling service is sold with 1554
one or more other products or services for a single, nonitemized 1555
price, the wireless 9-1-1 charge imposed under division 1556
~~(B)(1)(A)(2)~~ of this section shall apply to the entire nonitemized 1557
price, except as provided in divisions ~~(B)(4)(a)(D)(1)~~ to ~~(e)(3)~~ 1558
of this section. 1559

~~(a)(1)~~ If the amount of the prepaid wireless calling service 1560

is disclosed to the consumer as a dollar amount, the seller may 1561
elect to apply the charge only to that dollar amount. 1562

~~(b)(2)~~ If the seller can identify the portion of the 1563
nonitemized price that is attributable to the prepaid wireless 1564
calling service, by reasonable and verifiable standards from the 1565
seller's books and records that are kept in the regular course of 1566
business for other purposes, including nontax purposes, the seller 1567
may elect to apply the charge only to that portion. 1568

~~(e)(3)~~ If a minimal amount of a prepaid wireless calling 1569
service is sold with a prepaid wireless calling device for the 1570
single, nonitemized price, the seller may elect not to collect the 1571
charge. As used in this division, "minimal" means either ten 1572
minutes or less or five dollars or less. 1573

~~(C)(E)~~ The wireless 9-1-1 charges authorized under this 1574
section shall not be imposed on a subscriber of wireless lifeline 1575
service or a provider of that service. 1576

(F) The wireless 9-1-1 charges shall be exempt from state or 1577
local taxation. 1578

Sec. 128.41. (A) As used in this section, "communications 1579
service" means any wireless service, multiline telephone system, 1580
and voice over internet protocol system to which both of the 1581
following apply: 1582

(1) The service or system is registered to the subscriber's 1583
address within this state or the subscriber's primary place of 1584
using the service or system is in this state. 1585

(2) The service or system is capable of initiating a direct 1586
connection to 9-1-1. 1587

(B) After the expiration of the charge described in division 1588

(A)(1) of section 128.40 of the Revised Code and except as 1589
provided in sections 128.413 and 128.42 of the Revised Code, there 1590
is imposed a next generation 9-1-1 access fee of forty cents per 1591
month on each communications service, which shall be imposed as 1592
follows: 1593

(1) In the case of wireless telephone service, a subscriber 1594
shall pay a separate next generation 9-1-1 access fee for each 1595
wireless telephone number assigned to the subscriber. 1596

(2) In the case of a voice over internet protocol system, a 1597
subscriber shall pay a separate fee for each voice channel 1598
provided to the subscriber through the system. The number of voice 1599
channels shall be equal to the number of outbound calls the 1600
subscriber can maintain at the same time using the system, but 1601
excludes a direct inward dialing number that merely routes an 1602
inbound call. The maximum number of separate fees imposed on a 1603
subscriber's system shall not exceed one hundred voice channels 1604
per network. 1605

(3) In the case of a multiline telephone system, the 1606
subscriber shall pay a separate fee for each line. The maximum 1607
number of separate fees imposed on a single subscriber with a 1608
multiline telephone system shall not exceed one hundred per 1609
building with a unique street address or physically identifiable 1610
location. 1611

(C) If more than one communications service shares the same 1612
telephone number, then the next generation 9-1-1 access fee 1613
imposed shall not exceed forty cents per month. 1614

Sec. 128.412. Beginning October 1, 2025, the next generation 1615
9-1-1 access fee imposed under section 128.41 of the Revised Code 1616
shall be twenty-five cents per month and shall be imposed in the 1617

same manner as described in divisions (B) and (C) of that section. 1618

Sec. 128.413. The following are exempt from the next 1619
generation 9-1-1 access fee imposed under section 128.41 of the 1620
Revised Code: 1621

(A) A subscriber of wireless lifeline service. 1622

(B) Wholesale transactions between telecommunications service 1623
providers where the service is a component of a service provided 1624
to an end user. This exemption includes network access charges and 1625
interconnection charges paid to a local exchange carrier. 1626

Sec. 128.414. Each service provider and each reseller shall 1627
collect the next generation 9-1-1 access fee imposed under section 1628
128.41 of the Revised Code as a specific line item on each 1629
subscriber's monthly bill or point of sale invoice. The line item 1630
shall be the "Ohio Next Generation 9-1-1 Access Fee 1631
([amount]/service/month)" or similar language. If a provider bills 1632
a subscriber for any other 9-1-1 costs that the provider may 1633
incur, the charge or amount may appear in the same line item as 1634
the next generation 9-1-1 access fee line item. If the charge or 1635
amount is to appear in a separate line item on the bill, the 1636
charge or amount shall be expressly designated "[Name of Provider] 1637
[Description of charge or amount]." 1638

Sec. 128.419. Wireless service that is priced lower than five 1639
dollars per month shall not be subject to the next generation 1640
9-1-1 access fee described in section 128.41 of the Revised Code. 1641

Sec. 128.42. (A) After the expiration of the charge described 1642
in division (A)(2) of section 128.40 of the Revised Code, there is 1643
imposed, on each retail sale of a prepaid wireless calling service 1644

occurring in this state, a next generation 9-1-1 access fee of 1645
five-tenths of one per cent of the sale price. 1646

(B) For purposes of division (A) of this section, a retail 1647
sale occurs in this state if it is effected by the consumer 1648
appearing in person at a seller's business location in this state, 1649
or if the sale is sourced to this state under division (E)(3) of 1650
section 5739.034 of the Revised Code, except that under that 1651
division, in lieu of sourcing a sale under division (C)(5) of 1652
section 5739.033 of the Revised Code, the seller, rather than the 1653
service provider, may elect to source the sale to the location 1654
associated with the mobile telephone number. 1655

(C) A prepaid wireless calling service priced below a single 1656
fee of less than ten dollars does not constitute a retail sale for 1657
purposes of this section. 1658

Sec. 128.421. Except as provided in division (B)(3) of 1659
section 128.422 of the Revised Code, the seller of the prepaid 1660
calling service shall collect the next generation 9-1-1 access fee 1661
imposed under section 128.42 of the Revised Code in the same 1662
manner as described in section 128.414 of the Revised Code. 1663

Sec. 128.422. (A) When a prepaid calling service is sold with 1664
one or more other products or services for a single, nonitemized 1665
price, the next generation 9-1-1 access fee imposed under section 1666
128.42 of the Revised Code shall apply to the entire nonitemized 1667
price, except as provided in divisions (B)(1) to (3) of this 1668
section. 1669

(B)(1) If the amount of the prepaid calling service is 1670
disclosed to the consumer as a dollar amount, the seller may elect 1671
to apply the fee only to that dollar amount. 1672

(2) If the seller can identify the portion of the nonitemized price that is attributable to the prepaid calling service, by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes, including nontax purposes, the seller may elect to apply the fee only to that portion. 1673
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(3) If a minimal amount of a prepaid calling service is sold with a prepaid wireless calling device for the single, nonitemized price, the seller may elect not to collect the fee. As used in this division, "minimal" means ten minutes or less. 1679
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Sec. 128.43. The next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code shall be exempt from state or local taxation. 1683
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Sec. 128.44. ~~Beginning January 1, 2014, the~~ The tax commissioner shall provide notice to all known wireless service providers, resellers, and sellers of prepaid wireless calling services of any increase or decrease in ~~either of the wireless next generation 9-1-1 charges~~ access fees imposed under ~~section~~ sections 128.41 and 128.42 of the Revised Code. Each notice shall be provided not less than thirty days before the effective date of the increase or decrease. 1686
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Sec. 128.45. (A) Each entity required to bill and collect a wireless 9-1-1 charge under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code shall keep complete and accurate records of bills that include the charges and fees, together with a record of the charges and fees collected under those sections. The entities shall keep all related invoices and other pertinent 1694
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documents. 1701

(B) Each seller shall keep complete and accurate records of retail sales of prepaid wireless calling services, together with a record of the charges and fees collected under sections 128.40 and 128.421 of the Revised Code, and shall keep all related invoices and other pertinent documents. 1702
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~~Sec. 128.45~~128.451. ~~Beginning January 1, 2014:~~ 1707

~~(A) Each wireless service provider and reseller shall keep complete and accurate records of bills for wireless service, together with a record of the wireless 9-1-1 charges collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents. Each seller shall keep complete and accurate records of retail sales of prepaid wireless calling services, together with a record of the wireless 9-1-1 charges collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents.~~ 1708
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~~(B)~~ Records, invoices, and documents required to be kept under ~~this~~ section 128.45 of the Revised Code shall be open during business hours to the inspection of the tax commissioner. They shall be preserved for a period of four years unless the tax commissioner, in writing, consents to their destruction within that period, or by order requires that they be kept longer. 1717
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~~Sec. 128.46.~~ (A) ~~Prior to January 1, 2014:~~ 1723

~~(1) A wireless service provider or reseller, not later than the last day of each month, shall remit the full amount of all wireless 9-1-1 charges it collected under division (A) of section 128.42 of the Revised Code for the second preceding calendar month to the administrator, with the exception of charges equivalent to~~ 1724
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~~the amount authorized as a billing and collection fee under~~ 1729
~~division (A)(2) of this section. In doing so, the provider or~~ 1730
~~reseller may remit the requisite amount in any reasonable manner~~ 1731
~~consistent with its existing operating or technological~~ 1732
~~capabilities, such as by customer address, location associated~~ 1733
~~with the wireless telephone number, or another allocation method~~ 1734
~~based on comparable, relevant data. If the wireless service~~ 1735
~~provider or reseller receives a partial payment for a bill from a~~ 1736
~~wireless service subscriber, the wireless service provider or~~ 1737
~~reseller shall apply the payment first against the amount the~~ 1738
~~subscriber owes the wireless service provider or reseller and~~ 1739
~~shall remit to the administrator such lesser amount, if any, as~~ 1740
~~results from that invoice.~~ 1741

~~(2) A wireless service provider or reseller may retain as a~~ 1742
~~billing and collection fee two per cent of the total wireless~~ 1743
~~9-1-1 charges it collects in a month and shall account to the~~ 1744
~~administrator for the amount retained.~~ 1745

~~(3) The administrator shall return to, or credit against the~~ 1746
~~next month's remittance of, a wireless service provider or~~ 1747
~~reseller the amount of any remittances the administrator~~ 1748
~~determines were erroneously submitted by the provider or reseller.~~ 1749

~~(B) Beginning January 1, 2014:~~ 1750

~~(1) Each seller of a prepaid wireless calling service,~~ 1751
~~wireless service provider, and reseller An entity required to~~ 1752
~~collect a wireless 9-1-1 charge under section 128.40 of the~~ 1753
~~Revised Code or the next generation 9-1-1 access fee under section~~ 1754
~~128.414 or 128.421 of the Revised Code shall, on or before the~~ 1755
~~twenty-third day of each month, except as provided in divisions~~ 1756
~~~~(B)(2)(A)(2)~~ and (3) of this section, do both of the following:~~ 1757

~~(a) Make and file a return for the preceding month, in the~~ 1758

form prescribed by the tax commissioner, showing the amount of the  
~~wireless 9-1-1 charges or fees due under section 128.42 of the~~  
~~Revised Code~~ for that month;

(b) Remit the full amount due, as shown on the return, with  
the exception of charges or fees equivalent to the amount  
authorized as a collection fee under division ~~(B)(4)(B)~~ of this  
section.

(2) The commissioner may grant one or more thirty-day  
extensions for making and filing returns and remitting amounts  
due.

(3) If a seller is required to collect prepaid wireless 9-1-1  
charges under section 128.40 of the Revised Code or next  
generation 9-1-1 access fees under section 128.421 of the Revised  
Code in amounts that do not merit monthly returns, the  
commissioner may authorize the seller to make and file returns  
less frequently. The commissioner shall ascertain whether this  
authorization is warranted upon the basis of administrative costs  
to the state.

~~(4)(B)~~ A wireless service provider, reseller, and seller may  
each retain as a collection fee three per cent of the total  
wireless 9-1-1 charges required to be collected under ~~section~~  
sections 128.40, 128.41, and 128.42 of the Revised Code, and shall  
account to the tax commissioner for the amount retained.

~~(5)(C)~~ The return required under division ~~(B)(1)(a)(A)(1)(a)~~  
of this section shall be filed electronically using the Ohio  
business gateway, as defined in section 718.01 of the Revised  
Code, ~~the Ohio telefile system,~~ or any other electronic means  
prescribed by the tax commissioner. Remittance of the amount due  
shall be made electronically in a manner approved by the  
commissioner. ~~A wireless service provider, reseller, or seller~~ An

entity required to file the return may apply to the commissioner 1789  
on a form prescribed by the commissioner to be excused from either 1790  
electronic requirement of this division. For good cause shown, the 1791  
commissioner may excuse the ~~provider, reseller, or seller~~ entity 1792  
from either or both of the requirements and may permit the 1793  
~~provider, reseller, or seller~~ entity to file returns or make 1794  
remittances by nonelectronic means. 1795

~~(C)(1) Prior to January 1, 2014, each subscriber on which a 1796  
wireless 9-1-1 charge is imposed under division (A) of section 1797  
128.42 of the Revised Code is liable to the state for the amount 1798  
of the charge. If a wireless service provider or reseller fails to 1799  
collect the charge under that division from a subscriber of 1800  
prepaid wireless service, or fails to bill any other subscriber 1801  
for the charge, the wireless service provider or reseller is 1802  
liable to the state for the amount not collected or billed. If a 1803  
wireless service provider or reseller collects charges under that 1804  
division and fails to remit the money to the administrator, the 1805  
wireless service provider or reseller is liable to the state for 1806  
any amount collected and not remitted. 1807~~

~~(2) Beginning January 1, 2014:~~ 1808

~~(a)(D)(1) Each subscriber or consumer on which a wireless 1809  
9-1-1 charge is imposed under section 128.42 of the Revised Code 1810  
or on which a next generation 9-1-1 access fee is imposed under 1811  
section 128.41 or 128.42 of the Revised Code is liable to the 1812  
state for the amount of the charge. If a wireless service provider 1813  
or reseller fails 1814~~

~~(2) An entity required to bill or collect the wireless 9-1-1 1815  
charge, under section 128.40 of the Revised Code or if a seller 1816  
fails to collect the charge, the provider, reseller, or seller is 1817  
liable to the state for the amount not billed or collected. If a 1818~~

~~provider, reseller, or seller fails to remit money to the tax 1819  
commissioner as required under this section, the provider, 1820  
reseller, or seller the next generation 9-1-1 access fee under 1821  
section 128.414 or 128.421 of the Revised Code is liable to the 1822  
state for the any amount that was required to be collected but 1823  
that was not remitted, regardless of whether the amount was 1824  
collected. 1825~~

~~(b)(3) No provider of a prepaid wireless calling service 1826  
shall be liable to the state for any wireless 9-1-1 charge imposed 1827  
under division (B)(1) of section 128.40 of the Revised Code or any 1828  
next generation 9-1-1 access fee imposed under section 128.42 of 1829  
the Revised Code that was not collected or remitted. 1830~~

~~(D) Prior to January 1, 2014: 1831~~

~~(1) If the steering committee has reason to believe that a 1832  
wireless service provider or reseller has failed to bill, collect, 1833  
or remit the wireless 9-1-1 charge as required by divisions (A)(1) 1834  
and (C)(1) of this section or has retained more than the amount 1835  
authorized under division (A)(2) of this section, and after 1836  
written notice to the provider or reseller, the steering committee 1837  
may audit the provider or reseller for the sole purpose of making 1838  
such a determination. The audit may include, but is not limited 1839  
to, a sample of the provider's or reseller's billings, 1840  
collections, remittances, or retentions for a representative 1841  
period, and the steering committee shall make a good faith effort 1842  
to reach agreement with the provider or reseller in selecting that 1843  
sample. 1844~~

~~(2) Upon written notice to the wireless service provider or 1845  
reseller, the steering committee, by order after completion of the 1846  
audit, may make an assessment against the provider or reseller if, 1847  
pursuant to the audit, the steering committee determines that the 1848~~



~~provider or reseller has failed to bill, collect, or remit the  
wireless 9 1 1 charge as required by divisions (A)(1) and (C)(1)  
of this section or has retained more than the amount authorized  
under division (A)(2) of this section. The assessment shall be in  
the amount of any remittance that was due and unpaid on the date  
notice of the audit was sent by the steering committee to the  
provider or reseller or, as applicable, in the amount of the  
excess amount under division (A)(2) of this section retained by  
the provider or reseller as of that date.~~

~~(3) The portion of any assessment not paid within sixty days  
after the date of service by the steering committee of the  
assessment notice under division (D)(2) of this section shall bear  
interest from that date until paid at the rate per annum  
prescribed by section 5703.47 of the Revised Code. That interest  
may be collected by making an assessment under division (D)(2) of  
this section. An assessment under this division and any interest  
due shall be remitted in the same manner as the wireless 9 1 1  
charge imposed under division (A) of section 128.42 of the Revised  
Code.~~

~~(4) Unless the provider, reseller, or seller assessed files  
with the steering committee within sixty days after service of the  
notice of assessment, either personally or by certified mail, a  
written petition for reassessment, signed by the party assessed or  
that party's authorized agent having knowledge of the facts, the  
assessment shall become final and the amount of the assessment  
shall be due and payable from the party assessed to the  
administrator. The petition shall indicate the objections of the  
party assessed, but additional objections may be raised in writing  
if received by the administrator or the steering committee prior  
to the date shown on the final determination.~~

~~(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the place of business of the assessed party is located. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose leaf book entitled "special judgments for wireless 9-1-1 charges" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the steering committee.~~

~~(6) An assessment under this division does not discharge a subscriber's liability to reimburse the provider or reseller for the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code. If, after the date of service of the audit notice under division (D)(1) of this section, a subscriber pays a wireless 9-1-1 charge for the period covered by the assessment, the payment shall be credited against the assessment.~~

~~(7) All money collected by the administrator under division (D) of this section shall be paid to the treasurer of state, for deposit to the credit of the wireless 9-1-1 government assistance fund.~~

~~(E) Beginning January 1, 2014:~~

~~(1) If the tax commissioner has reason to believe that a wireless service provider, reseller, or seller an entity required to collect a wireless 9-1-1 charge under section 128.40 of the~~

Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code has failed to bill, collect, or remit the ~~wireless 9-1-1~~ charge or fee as required by this section and ~~section 128.42~~ sections 128.40 to 128.422 of the Revised Code or has retained more than the amount authorized under division ~~(B)(4)(B)~~ of this section, and after written notice to the ~~provider, reseller, or seller~~ entity, the tax commissioner may audit the ~~provider, reseller, or seller~~ entity for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the ~~provider's, reseller's, or seller's~~ entity's billings, collections, remittances, or retentions for a representative period, and the tax commissioner shall make a good faith effort to reach agreement with the ~~provider, reseller, or seller~~ entity in selecting that sample.

(2) Upon written notice to the ~~wireless service provider, reseller, or seller~~ entity, the tax commissioner, after completion of the audit, may make an assessment against the ~~provider, reseller, or seller~~ entity if, pursuant to the audit, the tax commissioner determines that the ~~provider, reseller, or seller~~ entity has failed to bill, collect, or remit the ~~wireless 9-1-1~~ charge or fee as required by ~~this section and section 128.42~~ sections 128.40 to 128.422 of the Revised Code or has retained more than the amount authorized under division ~~(B)(4)(B)~~ of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the tax commissioner to the ~~provider, reseller, or seller~~ entity or, as applicable, in the amount of the excess amount under division ~~(B)(4)(B)~~ of this section retained by the ~~provider, reseller, or seller~~ entity as of that date.

(3) The portion of any assessment consisting of ~~wireless 9-1-1~~ charges or fees due and not paid within sixty days after the

date that the assessment was made under division (E)(2) of this 1940  
section shall bear interest from that date until paid at the rate 1941  
per annum prescribed by section 5703.47 of the Revised Code. That 1942  
interest may be collected by making an assessment under division 1943  
(E)(2) of this section. 1944

(4) Unless the ~~provider, reseller, or seller~~ entity assessed 1945  
files with the tax commissioner within sixty days after service of 1946  
the notice of assessment, either personally or by certified mail, 1947  
a written petition for reassessment, signed by the ~~party~~ entity 1948  
assessed or that ~~party's~~ entity's authorized agent having 1949  
knowledge of the facts, the assessment shall become final and the 1950  
amount of the assessment shall be due and payable from the ~~party~~ 1951  
entity assessed to the treasurer of state, for deposit to the next 1952  
generation 9-1-1 fund, which is created under section 128.54 of 1953  
the Revised Code. The petition shall indicate the objections of 1954  
the ~~party~~ entity assessed, but additional objections may be raised 1955  
in writing if received by the commissioner prior to the date shown 1956  
on the final determination. If the petition has been properly 1957  
filed, the commissioner shall proceed under section 5703.60 of the 1958  
Revised Code. 1959

(5) After an assessment becomes final, if any portion of the 1960  
assessment remains unpaid, including accrued interest, a certified 1961  
copy of the final assessment may be filed in the office of the 1962  
clerk of the court of common pleas in the county in which the 1963  
business of the assessed ~~party~~ entity is conducted. If the ~~party~~ 1964  
entity assessed maintains no place of business in this state, the 1965  
certified copy of the final assessment may be filed in the office 1966  
of the clerk of the court of common pleas of Franklin county. 1967  
Immediately upon the filing, the clerk shall enter a judgment for 1968  
the state against the assessed ~~party~~ entity in the amount shown on 1969  
the final assessment. The judgment may be filed by the clerk in a 1970

loose-leaf book entitled "special judgments for ~~wireless~~ 9-1-1 charges and fees" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the tax commissioner.

(6) If the commissioner determines that the commissioner erroneously has refunded a ~~wireless~~ 9-1-1 charge or fee to any person, the commissioner may make an assessment against that person for recovery of the erroneously refunded charge.

(7) An assessment under division (E) of this section does not discharge a subscriber's or consumer's liability to reimburse the ~~provider, reseller, or seller~~ entity for a ~~wireless~~ 9-1-1 charge or fee. If, after the date of service of the audit notice under division (E)(1) of this section, a subscriber or consumer pays a ~~wireless~~ 9-1-1 charge or fee for the period covered by the assessment, the payment shall be credited against the assessment.

**Sec. 128.461.** ~~Beginning January 1, 2014, any~~ Every wireless 9-1-1 charge and next generation 9-1-1 access fee required to be remitted under section 128.46 of the Revised Code shall be subject to interest as prescribed by section 5703.47 of the Revised Code, calculated from the date the ~~wireless 9-1-1~~ charge or fee was due under section 128.46 of the Revised Code to the date the ~~wireless 9-1-1~~ charge or fee is remitted or the date of assessment, whichever occurs first.

**Sec. 128.462.** ~~Beginning January 1, 2014:~~

(A) Except as otherwise provided in this section, no assessment shall be made or issued against a ~~wireless service provider, reseller, or seller~~ an entity for any wireless 9-1-1 charge ~~imposed by or pursuant to~~ required to be collected under section ~~128.42~~ 128.40 of the Revised Code or any next generation

9-1-1 access fee required to be collected under section 128.414 or 128.421 of the Revised Code more than four years after the return date for the period in which the sale or purchase was made, or more than four years after the return for such period is filed, whichever is later. This division does not bar an assessment:

(1) When the tax commissioner has substantial evidence of amounts of ~~wireless 9-1-1~~ charges or fees collected by a ~~provider, reseller, or seller~~ an entity from subscribers or consumers, which were not returned to the state;

(2) When the ~~provider, reseller, or seller~~ entity assessed failed to file a return as required by section 128.46 of the Revised Code;

(3) When the ~~provider, reseller, or seller~~ entity and the commissioner waive in writing the time limitation.

(B) No assessment shall be made or issued against a ~~wireless service provider, reseller, or seller~~ an entity for any wireless 9-1-1 charge imposed by ~~or pursuant to~~ section 128.40 of the Revised Code or next generation 9-1-1 access fee imposed by section 128.41 or 128.42 of the Revised Code for any period during which there was in full force and effect a rule of the tax commissioner under or by virtue of which the collection or payment of any such ~~wireless 9-1-1~~ charge or fee was not required. This division does not bar an assessment when the tax commissioner has substantial evidence of amounts of ~~wireless 9-1-1~~ charges or fees collected by a ~~provider, reseller, or seller~~ an entity from subscribers or consumers, which were not returned to the state.

**Sec. 128.47. Beginning January 1, 2014:**

(A) ~~A wireless service provider, reseller, seller, wireless service~~ An entity required to collect a wireless 9-1-1 charge

under section 128.40 of the Revised Code or the next generation 2029  
9-1-1 access fee under section 128.414 or 128.421 of the Revised 2030  
Code, a subscriber, or a consumer of a prepaid wireless calling 2031  
~~service~~ may apply to the tax commissioner for a refund of ~~wireless~~ 2032  
~~9-1-1~~ charges or fees described in division (B) of this section 2033  
and of any penalties assessed with respect to such charges. The 2034  
application shall be made on the form prescribed by the tax 2035  
commissioner. The application shall be made not later than four 2036  
years after the date of the illegal or erroneous payment of the 2037  
charge or fee by the subscriber or consumer, unless the ~~wireless~~ 2038  
~~service provider, reseller, or seller~~ entity waives the time 2039  
limitation under division (A)(3) of section 128.462 of the Revised 2040  
Code. If the time limitation is waived, the refund application 2041  
period shall be extended for the same period as the waiver. 2042

(B)(1) If ~~a wireless service provider, reseller, or seller~~ an 2043  
entity refunds to a subscriber or consumer the full amount of 2044  
wireless 9-1-1 charges or next generation 9-1-1 access fees that 2045  
the subscriber or consumer paid illegally or erroneously, and if 2046  
the ~~provider, reseller, or seller~~ entity remitted that amount 2047  
under section 128.46 of the Revised Code, the tax commissioner 2048  
shall refund that amount to the ~~provider, reseller, or seller~~ 2049  
entity. 2050

(2) If ~~a wireless service provider, reseller, or seller~~ an 2051  
entity has illegally or erroneously billed a subscriber or charged 2052  
a consumer for a wireless 9-1-1 charge or a next generation 9-1-1 2053  
access fee, and if the ~~provider, reseller, or seller~~ entity has 2054  
not collected the charge or fee but has remitted that amount under 2055  
section 128.46 of the Revised Code, the tax commissioner shall 2056  
refund that amount to the ~~provider, reseller, or seller~~. 2057

(C)(1) The tax commissioner may refund to a subscriber or 2058  
consumer wireless 9-1-1 charges or next generation 9-1-1 access 2059

fees paid illegally or erroneously to a ~~provider, reseller, or seller~~ an entity only if both of the following apply: 2060  
2061

(a) The tax commissioner has not refunded the wireless 9-1-1 charges or fees to the ~~provider, reseller, or seller~~ entity. 2062  
2063

(b) The ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer. 2064  
2065

(2) The tax commissioner may require the subscriber or consumer to obtain from the ~~provider, reseller, or seller~~ entity a written statement confirming that the ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer and that the ~~provider, reseller, or seller~~ entity has not filed an application for a refund under this section. The tax commissioner may also require the ~~provider, reseller, or seller~~ entity to provide this statement. 2066  
2067  
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2073

(D) On the filing of an application for a refund under this section, the tax commissioner shall determine the amount of refund to which the applicant is entitled. If the amount is not less than that claimed, the commissioner shall certify the determined amount to the director of budget and management and the treasurer of state for payment from the tax refund fund created under section 5703.052 of the Revised Code. If the amount is less than that claimed, the commissioner shall proceed in accordance with section 5703.70 of the Revised Code. 2074  
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(E) Refunds granted under this section shall include interest as provided by section 5739.132 of the Revised Code. 2083  
2084

**Sec. 128.52.** (A) ~~Beginning on July 1, 2013, each~~ Each seller of a prepaid wireless calling service required to collect prepaid wireless 9-1-1 charges under ~~division (B) of section 128.42~~ 128.40 of the Revised Code or next generation 9-1-1 access fees under 2085  
2086  
2087  
2088



section 128.421 of the Revised Code shall also be subject to the 2089  
 provisions of Chapter 5739. of the Revised Code regarding the 2090  
 excise tax on retail sales levied under section 5739.02 of the 2091  
 Revised Code, as those provisions apply to audits, assessments, 2092  
 appeals, enforcement, liability, and penalties. 2093

(B) The tax commissioner shall establish procedures by which 2094  
 a person may document that a sale is not a retail sale of a 2095  
 prepaid wireless calling service. The procedures shall 2096  
 substantially coincide with similar procedures under Chapter 5739. 2097  
 of the Revised Code. 2098

**Sec. 128.54.** (A)(1) For the purpose of receiving, 2099  
 distributing, and accounting for amounts received from the 2100  
 wireless 9-1-1 charges imposed under section 128.40 of the Revised 2101  
Code and the next generation 9-1-1 access fees imposed under 2102  
sections 128.41 and 128.42 of the Revised Code, the following 2103  
 funds are created in the state treasury: 2104

(a) The ~~wireless~~ 9-1-1 government assistance fund; 2105

(b) The ~~wireless~~ 9-1-1 administrative fund; 2106

(c) The ~~wireless~~ 9-1-1 program fund; 2107

(d) The next generation 9-1-1 fund. 2108

(2) Amounts remitted under section 128.46 of the Revised Code 2109  
 shall be paid to the treasurer of state for deposit as follows: 2110

(a) ~~Ninety-seven~~ Seventy-two per cent to the ~~wireless~~ 9-1-1 2111  
 government assistance fund. All interest earned on the ~~wireless~~ 2112  
 9-1-1 government assistance fund shall be credited to the fund. 2113

(b) One per cent to the ~~wireless~~ 9-1-1 administrative fund; 2114

(c) Two per cent to the 9-1-1 program fund; 2115

|                                                                                                                                                                                                                                                                                                                                                       |                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <u>(d) Twenty-five per cent to the next generation 9-1-1 fund.</u>                                                                                                                                                                                                                                                                                    | 2116                                         |
| (3) The tax commissioner shall use the <del>wireless</del> 9-1-1 administrative fund to defray the costs incurred in carrying out this chapter.                                                                                                                                                                                                       | 2117<br>2118<br>2119                         |
| (4) The steering committee shall use the 9-1-1 program fund to defray the costs incurred by the steering committee in carrying out this chapter.                                                                                                                                                                                                      | 2120<br>2121<br>2122                         |
| (5) Annually, the tax commissioner, after paying administrative costs under division (A)(3) of this section, shall transfer any excess remaining in the <del>wireless</del> 9-1-1 administrative fund to the next generation 9-1-1 fund, created under this section.                                                                                  | 2123<br>2124<br>2125<br>2126<br>2127         |
| (B) At the direction of the steering committee, the tax commissioner shall transfer the funds remaining in the <del>wireless</del> 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund. All interest earned on the next generation 9-1-1 fund shall be credited to the fund.                                             | 2128<br>2129<br>2130<br>2131<br>2132         |
| (C) From the <del>wireless</del> 9-1-1 government assistance fund, the director of budget and management shall, as funds are available, transfer to the tax refund fund, created under section 5703.052 of the Revised Code, amounts equal to the refunds certified by the tax commissioner under division (D) of section 128.47 of the Revised Code. | 2133<br>2134<br>2135<br>2136<br>2137<br>2138 |
| <u>(D) The department of administrative services may move funds between the next generation 9-1-1 fund and the 9-1-1 government assistance fund to ensure funding remains sustainable for both funds.</u>                                                                                                                                             | 2139<br>2140<br>2141<br>2142                 |
| <b>Sec. 128.55.</b> (A)(1) The tax commissioner, <del>not later than the</del>                                                                                                                                                                                                                                                                        | 2143                                         |

~~last day of each month,~~ shall disburse moneys from the wireless 2144  
 9-1-1 government assistance fund, plus any accrued interest on the 2145  
 fund, to each county treasurer in the same proportion distributed 2146  
 to that county by the tax commissioner in the corresponding 2147  
 calendar month of the previous year. Any shortfall in 2148  
 distributions resulting from the timing of funds received in a 2149  
 previous month shall be distributed in the following month. 2150  
Disbursements shall occur not later than the tenth day of the 2151  
month succeeding the month in which the wireless 9-1-1 charges 2152  
imposed under section 128.40 of the Revised Code and the next 2153  
generation 9-1-1 access fees imposed under sections 128.41 and 2154  
128.42 of the Revised Code are remitted. 2155

(2) ~~The tax commissioner shall disburse moneys from the next~~ 2156  
~~generation 9-1-1 fund in accordance with the guidelines~~ 2157  
~~established under section 128.022 of the Revised Code shall be~~ 2158  
administered by the department of administrative services and used 2159  
exclusively to pay costs of installing, maintaining, and operating 2160  
the call routing and core services statewide next generation 9-1-1 2161  
system. 2162

(B) Immediately upon receipt by a county treasurer of a 2163  
 disbursement under division (A) of this section, the county shall 2164  
 disburse, in accordance with the allocation formula set forth in 2165  
 the final plan, the amount the county so received to any other 2166  
 subdivisions in the county and any regional councils of 2167  
 governments in the county that pay the costs of a public safety 2168  
 answering point providing wireless enhanced 9-1-1 under the plan. 2169

(C) Nothing in this chapter affects the authority of a 2170  
 subdivision operating or served by a public safety answering point 2171  
 of a 9-1-1 system or a regional council of governments operating a 2172  
 public safety answering point of a 9-1-1 system to use, as 2173

provided in the final plan for the system ~~or in an agreement under~~ 2174  
~~section 128.09 of the Revised Code~~, any other authorized revenue 2175  
of the subdivision or the regional council of governments for the 2176  
purposes of providing basic or enhanced 9-1-1. 2177

**Sec. 128.57.** ~~Except as otherwise provided in section 128.571~~ 2178  
~~of the Revised Code:~~ 2179

(A) A countywide 9-1-1 system receiving a disbursement under 2180  
section 128.55 of the Revised Code shall provide countywide 2181  
wireless enhanced 9-1-1 in accordance with this chapter beginning 2182  
as soon as reasonably possible after receipt of the first 2183  
disbursement or, if that service is already implemented, shall 2184  
continue to provide such service. Except as provided in divisions 2185  
(B), (C), ~~and (E), and (F)~~ of this section, a disbursement shall 2186  
be used solely for the purpose of paying either or both of the 2187  
following: 2188

(1) Any costs of ~~designing~~ the following: 2189

(a) Designing, upgrading, purchasing, leasing, programming, 2190  
installing, testing, or maintaining the necessary data, hardware, 2191  
software, and trunking required for the public safety answering 2192  
point or points of the 9-1-1 system to provide wireless, enhanced, 2193  
or next generation 9-1-1, ~~which costs are incurred before or on or~~ 2194  
~~after May 6, 2005, and consist of such additional costs of the~~ 2195  
~~9-1-1 system over and above any costs incurred to provide wireline~~ 2196  
~~9-1-1 or to otherwise provide wireless enhanced 9-1-1. Annually,~~ 2197  
~~up to twenty five thousand dollars of the disbursements received~~ 2198  
~~on or after January 1, 2009, may be applied to data, hardware, and~~ 2199  
~~software that automatically alerts personnel receiving a 9-1-1~~ 2200  
~~call that a person at the subscriber's address or telephone number~~ 2201  
~~may have a mental or physical disability, of which that personnel~~ 2202

~~shall inform the appropriate service;~~ 2203

~~(b) Processing 9-1-1 emergency calls from the point of origin~~ 2204  
~~to include any expense for interoperable bidirectional computer~~ 2205  
~~aided dispatch data transfers with other public safety answering~~ 2206  
~~points or emergency services organizations and transferring and~~ 2207  
~~receiving law enforcement, fire, and emergency medical service~~ 2208  
~~provider. On or after the provision of technical and operational~~ 2209  
~~standards pursuant to section 128.021 of the Revised Code, a~~ 2210  
~~regional council of governments operating a public safety~~ 2211  
~~answering point or a subdivision shall consider the standards~~ 2212  
~~before incurring any costs described in this division. data via~~ 2213  
~~wireless or internet connections from public safety answering~~ 2214  
~~points or emergency services organizations to all applicable~~ 2215  
~~emergency responders, exclusive of mobile radio service costs.~~ 2216

(2) Any costs of training the staff of the public safety 2217  
answering point or points to provide wireless enhanced 9-1-1, 2218  
~~which costs are incurred before or on or after May 6, 2005.~~ 2219

(B) A subdivision or a regional council of governments that 2220  
certifies to the steering committee that it has paid the costs 2221  
described in divisions (A)(1) and (2) of this section and is 2222  
providing countywide wireless enhanced 9-1-1 may use disbursements 2223  
received under section 128.55 of the Revised Code to pay any of 2224  
its personnel costs of one or more public safety answering points 2225  
providing countywide wireless enhanced 9-1-1. 2226

(C) After receiving its July 2013 disbursement under division 2227  
(A) of section 128.55 of the Revised Code as that division existed 2228  
prior to the amendments to that division by H.B. 64 of the 131st 2229  
general assembly, a regional council of governments operating a 2230  
public safety answering point or a subdivision may use any 2231  
remaining balance of disbursements it received under that 2232

division, as it existed prior to the amendments to it by H.B. 64 2233  
of the 131st general assembly, to pay any of its costs of 2234  
providing countywide wireless 9-1-1, including the personnel costs 2235  
of one or more public safety answering points providing that 2236  
service. 2237

(D) The costs described in divisions (A), (B), (C), and (E) 2238  
of this section may include any such costs payable pursuant to an 2239  
agreement under division ~~(J)~~(I) of section 128.03 of the Revised 2240  
Code. 2241

(E)(1) No disbursement to a countywide 9-1-1 system for costs 2242  
of a public safety answering point shall be made from the ~~wireless~~ 2243  
9-1-1 government assistance fund or the next generation 9-1-1 fund 2244  
unless the public safety answering point meets the standards set 2245  
by rule of the steering committee under section 128.021 of the 2246  
Revised Code. 2247

(2) The steering committee shall monitor compliance with the 2248  
standards and shall notify the tax commissioner to suspend 2249  
disbursements to a countywide 9-1-1 system that fails to meet the 2250  
standards. Upon receipt of this notification, the commissioner 2251  
shall suspend disbursements until the commissioner is notified of 2252  
compliance with the standards. 2253

(F) The auditor of state may audit and review each county's 2254  
expenditures of funds received from the ~~wireless~~ 9-1-1 government 2255  
assistance fund to verify that the funds were used in accordance 2256  
with the requirements of this chapter. All funds generated from 2257  
the next generation 9-1-1 access fee imposed under sections 128.41 2258  
and 128.42 of the Revised Code may be used only for 9-1-1 related 2259  
expenses. 2260

**Sec. 128.60.** (A)(1) A telephone company, the state highway 2261

patrol as described in division ~~(J)~~(I) of section 128.03 of the Revised Code, and each subdivision or regional council of governments operating one or more public safety answering points for a countywide system providing wireless 9-1-1, shall provide the steering committee and the tax commissioner with such information as the steering committee and tax commissioner request for the purposes of carrying out their duties under this chapter, including, but not limited to, duties regarding the collection of the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code.

(2) A wireless service provider shall provide an official, employee, agent, or representative of a subdivision or regional council of governments operating a public safety answering point, or of the state highway patrol as described in division ~~(J)~~(I) of section 128.03 of the Revised Code, with such technical, service, and location information as the official, employee, agent, or representative requests for the purpose of providing wireless 9-1-1.

(3) A subdivision or regional council of governments operating one or more public safety answering points of a 9-1-1 system, and a telephone company, shall provide to the steering committee such information as the steering committee requires for the purpose of carrying out its duties under Chapter 128. of the Revised Code.

(B)(1) Any information provided under division (A) of this section that consists of trade secrets as defined in section 1333.61 of the Revised Code or of information regarding the customers, revenues, expenses, or network information of a telephone company shall be confidential and does not constitute a

public record for the purpose of section 149.43 of the Revised Code. 2292  
2293

(2) The steering committee, tax commissioner, and any 2294  
official, employee, agent, or representative of the steering 2295  
committee, of the tax commissioner, of the state highway patrol as 2296  
described in division ~~(J)~~(I) of section 128.03 of the Revised 2297  
Code, or of a subdivision or regional council of governments 2298  
operating a public safety answering point, while acting or 2299  
claiming to act in the capacity of the steering committee or tax 2300  
commissioner or such official, employee, agent, or representative, 2301  
shall not disclose any information provided under division (A) of 2302  
this section regarding a telephone company's customers, revenues, 2303  
expenses, or network information. Nothing in division (B)(2) of 2304  
this section precludes any such information from being aggregated 2305  
and included in any report of the steering committee, tax 2306  
commissioner, or any official, employee, agent, or representative 2307  
of the steering committee or tax commissioner, provided the 2308  
aggregated information does not identify the number of any 2309  
particular company's customers or the amount of its revenues or 2310  
expenses or identify a particular company as to any network 2311  
information. 2312

**Sec. 128.63.** ~~(A)~~ The tax commissioner may adopt rules in 2313  
accordance with Chapter 119. of the Revised Code to carry out this 2314  
chapter, including rules prescribing the necessary accounting for 2315  
the collection fee under division ~~(B)(4)~~(B) of section 128.46 of 2316  
the Revised Code. 2317

~~(B) The amounts of the wireless 9-1-1 charges shall be 2318  
prescribed only by act of the general assembly. 2319~~

**Sec. ~~128.32~~128.96.** (A)(1) The state, the state highway 2320



patrol, a subdivision, or a regional council of governments 2321

participating in a 9-1-1 system established under this chapter and 2322

any officer, agent, employee, or independent contractor of the 2323

state, the state highway patrol, or such a participating 2324

subdivision or regional council of governments is not liable in 2325

damages in a civil action for injuries, death, or loss to persons 2326

or property arising from any act or omission, except willful or 2327

wanton misconduct, in connection with developing, adopting, or 2328

approving any final plan ~~or any agreement made under section~~ 2329

~~128.09 of the Revised Code~~ or otherwise bringing into operation 2330

the 9-1-1 system pursuant to this chapter. 2331

(2) The steering committee and any member of the steering 2332

committee are not liable in damages in a civil action for 2333

injuries, death, or loss to persons or property arising from any 2334

act or omission, except willful or wanton misconduct, in 2335

connection with the development or operation of a 9-1-1 system 2336

established under this chapter. 2337

(B) Except as otherwise provided in this section, an 2338

individual who gives emergency instructions through a 9-1-1 system 2339

established under this chapter, and the principals for whom the 2340

person acts, including both employers and independent contractors, 2341

public and private, and an individual who follows emergency 2342

instructions and the principals for whom that person acts, 2343

including both employers and independent contractors, public and 2344

private, are not liable in damages in a civil action for injuries, 2345

death, or loss to persons or property arising from the issuance or 2346

following of emergency instructions, except where the issuance or 2347

following of the instructions constitutes willful or wanton 2348

misconduct. 2349

(C) Except for willful or wanton misconduct, a telephone 2350

company, and any other installer, maintainer, or provider, through  
the sale or otherwise, of customer premises equipment, or service  
used for or with a 9-1-1 system, and their respective officers,  
directors, employees, agents, suppliers, corporate parents, and  
affiliates are not liable in damages in a civil action for  
injuries, death, or loss to persons or property incurred by any  
person resulting from any of the following:

(1) Such an entity's or its officers', directors',  
employees', agents', or suppliers' participation in or acts or  
omissions in connection with participating in or developing,  
maintaining, or operating a 9-1-1 system;

(2) Such an entity's or its officers', directors',  
employees', agents', or suppliers' provision of assistance to a  
public utility, municipal utility, or state or local government as  
authorized by divisions ~~(G)(4)~~(H)(4) and (5) of this section.

(D) Except for willful or wanton misconduct, a provider of  
and a seller of a prepaid wireless calling service and their  
respective officers, directors, employees, agents, and suppliers  
are not liable in damages in a civil action for injuries, death,  
or loss to persons or property incurred by any person resulting  
from anything described in division (C) of this section.

(E) Except for willful or wanton misconduct, a 9-1-1 system  
service provider and the provider's respective officers,  
directors, employees, agents, and suppliers are not liable for any  
damages in a civil action for injuries, death, or loss to persons  
or property incurred by any person resulting from developing,  
adopting, implementing, maintaining, or operating a 9-1-1 system,  
or from complying with emergency-related information requests from  
state or local government officials.

(F) No person shall knowingly use the telephone number of a

9-1-1 system established under this chapter to report an emergency 2381  
if the person knows that no emergency exists. 2382

~~(F)~~(G) No person shall knowingly use a 9-1-1 system for a 2383  
purpose other than obtaining emergency service. 2384

~~(G)~~(H) No person shall disclose or use any information 2385  
concerning telephone numbers, addresses, or names obtained from 2386  
the data base that serves the public safety answering point of a 2387  
9-1-1 system established under this chapter, except for any of the 2388  
following purposes or under any of the following circumstances: 2389

(1) For the purpose of the 9-1-1 system; 2390

(2) For the purpose of responding to an emergency call to an 2391  
emergency service provider; 2392

(3) In the circumstance of the inadvertent disclosure of such 2393  
information due solely to technology of the wireline telephone 2394  
network portion of the 9-1-1 system not allowing access to the 2395  
data base to be restricted to 9-1-1 specific answering lines at a 2396  
public safety answering point; 2397

(4) In the circumstance of access to a data base being given 2398  
by a telephone company that is a wireline service provider to a 2399  
public utility or municipal utility in handling customer calls in 2400  
times of public emergency or service outages. The charge, terms, 2401  
and conditions for the disclosure or use of such information for 2402  
the purpose of such access to a data base shall be subject to the 2403  
jurisdiction of the steering committee. 2404

(5) In the circumstance of access to a data base given by a 2405  
telephone company that is a wireline service provider to a state 2406  
and local government in warning of a public emergency, as 2407  
determined by the steering committee. The charge, terms, and 2408  
conditions for the disclosure or use of that information for the 2409

purpose of access to a data base is subject to the jurisdiction of 2410  
the steering committee. 2411

**Sec. ~~128.34~~128.98.** (A) The attorney general, upon request of 2412  
the steering committee, or on the attorney general's own 2413  
initiative, shall begin proceedings against a telephone company 2414  
that is a wireline service provider to enforce compliance with 2415  
this chapter or with the terms, conditions, requirements, or 2416  
specifications of a final plan ~~or of an agreement under section~~ 2417  
~~128.09 of the Revised Code~~ as to wireline or wireless 9-1-1. 2418

(B) The attorney general, upon the attorney general's own 2419  
initiative, or any prosecutor, upon the prosecutor's initiative, 2420  
shall begin proceedings against a subdivision or a regional 2421  
council of governments as to wireline or wireless 9-1-1 to enforce 2422  
compliance with this chapter or with the terms, conditions, 2423  
requirements, or specifications of a final plan ~~or of an agreement~~ 2424  
~~under section 128.09 of the Revised Code~~ as to wireline or 2425  
wireless 9-1-1. 2426

**Sec. 128.99.** (A) Whoever violates division ~~(E)~~(F) of section 2427  
~~128.32~~128.96 of the Revised Code is guilty of a misdemeanor of the 2428  
fourth degree. 2429

(B) Whoever violates division ~~(F)~~ ~~or~~ (G) or (H) of section 2430  
~~128.32~~ 128.96 or division (B)(2) of section 128.60 of the Revised 2431  
Code is guilty of a misdemeanor of the fourth degree on a first 2432  
offense and a felony of the fifth degree on each subsequent 2433  
offense. 2434

(C) If a wireless service provider, reseller, or seller 2435  
violates division ~~(B)(1)(a)~~(A)(1)(a) of section 128.46 of the 2436  
Revised Code, and does not comply with any extensions granted 2437

under division ~~(B)(2)~~(A)(2) of that section, the tax commissioner 2438  
may impose a late-filing penalty of not more than the greater of 2439  
fifty dollars or five per cent of the amount required to be 2440  
remitted as described in division (B)(1)(b) of that section. 2441

(D) If a wireless service provider, reseller, or seller fails 2442  
to comply with division ~~(B)(1)(b)~~(A)(1)(b) of section 128.46 of 2443  
the Revised Code, the tax commissioner may impose a late-payment 2444  
penalty of not more than the greater of fifty dollars or five per 2445  
cent of the wireless 9-1-1 charge required to be remitted for the 2446  
reporting period minus any partial remittance made on or before 2447  
the due date, including any extensions granted under division 2448  
~~(B)(2)~~(A)(2) of section 128.46 of the Revised Code. 2449

(E) The tax commissioner may impose an assessment penalty of 2450  
not more than the greater of one hundred dollars or thirty-five 2451  
per cent of the wireless 9-1-1 charges due after the tax 2452  
commissioner notifies the person of an audit, an examination, a 2453  
delinquency, assessment, or other notice that additional wireless 2454  
9-1-1 charges are due. 2455

(F) If a wireless service provider, reseller, or seller fails 2456  
to comply with either electronic requirement of division ~~(B)(5)~~(C) 2457  
of section 128.46 of the Revised Code, the tax commissioner may 2458  
impose an electronic penalty, for either or both failures to 2459  
comply, of not more than the lesser of the following: 2460

(1) The greater of one hundred dollars or ten per cent of the 2461  
amount required to be, but not, remitted electronically; 2462

(2) Five thousand dollars. 2463

(G) Each penalty described in divisions (C) to (F) of this 2464  
section is in addition to any other penalty described in those 2465  
divisions. The tax commissioner may abate all or any portion of 2466  
any penalty described in those divisions. 2467

(H) An operator in violation of section 128.24 of the Revised Code may be assessed a fine of up to five thousand dollars per offense. 2468  
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(I)(1) If a business service user fails to comply with section 128.241 of the Revised Code without being exempt under section 128.242 of the Revised Code, the 9-1-1 steering committee shall request the attorney general to bring an action to recover one of the following amounts from the user: 2471  
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(a) One thousand dollars for an initial failure; 2476

(b) Up to five thousand dollars for each subsequent failure within each continuing six-month period in which the user remains noncompliant. 2477  
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(2) Any funds recovered under division (I)(1) of this section shall be deposited into the next generation 9-1-1 fund created under section 128.54 of the Revised Code. 2480  
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(3) Divisions (I)(1) and (2) of this section shall not apply if they are preempted by or in conflict with federal law. 2483  
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**Sec. 149.43.** (A) As used in this section: 2485

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. "Public record" does not mean any of the following: 2486  
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(a) Medical records; 2493

(b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control 2494  
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| sanctions and post-release control sanctions, or to proceedings    | 2496 |
| related to determinations under section 2967.271 of the Revised    | 2497 |
| Code regarding the release or maintained incarceration of an       | 2498 |
| offender to whom that section applies;                             | 2499 |
| (c) Records pertaining to actions under section 2151.85 and        | 2500 |
| division (C) of section 2919.121 of the Revised Code and to        | 2501 |
| appeals of actions arising under those sections;                   | 2502 |
| (d) Records pertaining to adoption proceedings, including the      | 2503 |
| contents of an adoption file maintained by the department of       | 2504 |
| health under sections 3705.12 to 3705.124 of the Revised Code;     | 2505 |
| (e) Information in a record contained in the putative father       | 2506 |
| registry established by section 3107.062 of the Revised Code,      | 2507 |
| regardless of whether the information is held by the department of | 2508 |
| job and family services or, pursuant to section 3111.69 of the     | 2509 |
| Revised Code, the office of child support in the department or a   | 2510 |
| child support enforcement agency;                                  | 2511 |
| (f) Records specified in division (A) of section 3107.52 of        | 2512 |
| the Revised Code;                                                  | 2513 |
| (g) Trial preparation records;                                     | 2514 |
| (h) Confidential law enforcement investigatory records;            | 2515 |
| (i) Records containing information that is confidential under      | 2516 |
| section 2710.03 or 4112.05 of the Revised Code;                    | 2517 |
| (j) DNA records stored in the DNA database pursuant to             | 2518 |
| section 109.573 of the Revised Code;                               | 2519 |
| (k) Inmate records released by the department of                   | 2520 |
| rehabilitation and correction to the department of youth services  | 2521 |
| or a court of record pursuant to division (E) of section 5120.21   | 2522 |
| of the Revised Code;                                               | 2523 |

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| (l) Records maintained by the department of youth services         | 2524 |
| pertaining to children in its custody released by the department   | 2525 |
| of youth services to the department of rehabilitation and          | 2526 |
| correction pursuant to section 5139.05 of the Revised Code;        | 2527 |
| (m) Intellectual property records;                                 | 2528 |
| (n) Donor profile records;                                         | 2529 |
| (o) Records maintained by the department of job and family         | 2530 |
| services pursuant to section 3121.894 of the Revised Code;         | 2531 |
| (p) Designated public service worker residential and familial      | 2532 |
| information;                                                       | 2533 |
| (q) In the case of a county hospital operated pursuant to          | 2534 |
| Chapter 339. of the Revised Code or a municipal hospital operated  | 2535 |
| pursuant to Chapter 749. of the Revised Code, information that     | 2536 |
| constitutes a trade secret, as defined in section 1333.61 of the   | 2537 |
| Revised Code;                                                      | 2538 |
| (r) Information pertaining to the recreational activities of       | 2539 |
| a person under the age of eighteen;                                | 2540 |
| (s) In the case of a child fatality review board acting under      | 2541 |
| sections 307.621 to 307.629 of the Revised Code or a review        | 2542 |
| conducted pursuant to guidelines established by the director of    | 2543 |
| health under section 3701.70 of the Revised Code, records provided | 2544 |
| to the board or director, statements made by board members during  | 2545 |
| meetings of the board or by persons participating in the           | 2546 |
| director's review, and all work products of the board or director, | 2547 |
| and in the case of a child fatality review board, child fatality   | 2548 |
| review data submitted by the board to the department of health or  | 2549 |
| a national child death review database, other than the report      | 2550 |
| prepared pursuant to division (A) of section 307.626 of the        | 2551 |
| Revised Code;                                                      | 2552 |



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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| (t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;                                                                                                               | 2553<br>2554<br>2555<br>2556                 |
| (u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;                                | 2557<br>2558<br>2559<br>2560<br>2561<br>2562 |
| (v) Records the release of which is prohibited by state or federal law;                                                                                                                                                                                                                                                                                            | 2563<br>2564                                 |
| (w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;                                                                                                                                                                                  | 2565<br>2566<br>2567                         |
| (x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency; | 2568<br>2569<br>2570<br>2571<br>2572<br>2573 |
| (y) Records listed in section 5101.29 of the Revised Code;                                                                                                                                                                                                                                                                                                         | 2574                                         |
| (z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B)(2) of that section;                                                                                                                                                                                                                          | 2575<br>2576<br>2577                         |
| (aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;                                                                                                                                                                                                           | 2578<br>2579<br>2580                         |
| (bb) Records described in division (C) of section 187.04 of                                                                                                                                                                                                                                                                                                        | 2581                                         |

the Revised Code that are not designated to be made available to 2582  
the public as provided in that division; 2583

(cc) Information and records that are made confidential, 2584  
privileged, and not subject to disclosure under divisions (B) and 2585  
(C) of section 2949.221 of the Revised Code; 2586

(dd) Personal information, as defined in section 149.45 of 2587  
the Revised Code; 2588

(ee) The confidential name, address, and other personally 2589  
identifiable information of a program participant in the address 2590  
confidentiality program established under sections 111.41 to 2591  
111.47 of the Revised Code, including the contents of any 2592  
application for absent voter's ballots, absent voter's ballot 2593  
identification envelope statement of voter, or provisional ballot 2594  
affirmation completed by a program participant who has a 2595  
confidential voter registration record; records or portions of 2596  
records pertaining to that program that identify the number of 2597  
program participants that reside within a precinct, ward, 2598  
township, municipal corporation, county, or any other geographic 2599  
area smaller than the state; and any real property confidentiality 2600  
notice filed under section 111.431 of the Revised Code and the 2601  
information described in division (C) of that section. As used in 2602  
this division, "confidential address" and "program participant" 2603  
have the meaning defined in section 111.41 of the Revised Code. 2604

(ff) Orders for active military service of an individual 2605  
serving or with previous service in the armed forces of the United 2606  
States, including a reserve component, or the Ohio organized 2607  
militia, except that, such order becomes a public record on the 2608  
day that is fifteen years after the published date or effective 2609  
date of the call to order; 2610

(gg) The name, address, contact information, or other 2611

personal information of an individual who is less than eighteen 2612  
years of age that is included in any record related to a traffic 2613  
accident involving a school vehicle in which the individual was an 2614  
occupant at the time of the accident; 2615

(hh) Protected health information, as defined in 45 C.F.R. 2616  
160.103, that is in a claim for payment for a health care product, 2617  
service, or procedure, as well as any other health claims data in 2618  
another document that reveals the identity of an individual who is 2619  
the subject of the data or could be used to reveal that 2620  
individual's identity; 2621

(ii) Any depiction by photograph, film, videotape, or printed 2622  
or digital image under either of the following circumstances: 2623

(i) The depiction is that of a victim of an offense the 2624  
release of which would be, to a reasonable person of ordinary 2625  
sensibilities, an offensive and objectionable intrusion into the 2626  
victim's expectation of bodily privacy and integrity. 2627

(ii) The depiction captures or depicts the victim of a 2628  
sexually oriented offense, as defined in section 2950.01 of the 2629  
Revised Code, at the actual occurrence of that offense. 2630

(jj) Restricted portions of a body-worn camera or dashboard 2631  
camera recording; 2632

(kk) In the case of a fetal-infant mortality review board 2633  
acting under sections 3707.70 to 3707.77 of the Revised Code, 2634  
records, documents, reports, or other information presented to the 2635  
board or a person abstracting such materials on the board's 2636  
behalf, statements made by review board members during board 2637  
meetings, all work products of the board, and data submitted by 2638  
the board to the department of health or a national infant death 2639  
review database, other than the report prepared pursuant to 2640

section 3707.77 of the Revised Code. 2641

(ll) Records, documents, reports, or other information 2642  
presented to the pregnancy-associated mortality review board 2643  
established under section 3738.01 of the Revised Code, statements 2644  
made by board members during board meetings, all work products of 2645  
the board, and data submitted by the board to the department of 2646  
health, other than the biennial reports prepared under section 2647  
3738.08 of the Revised Code; 2648

(mm) Except as otherwise provided in division (A)(1)(oo) of 2649  
this section, telephone numbers for a victim, as defined in 2650  
section 2930.01 of the Revised Code or a witness to a crime that 2651  
are listed on any law enforcement record or report. 2652

(nn) A preneed funeral contract, as defined in section 2653  
4717.01 of the Revised Code, and contract terms and personally 2654  
identifying information of a preneed funeral contract, that is 2655  
contained in a report submitted by or for a funeral home to the 2656  
board of embalmers and funeral directors under division (C) of 2657  
section 4717.13, division (J) of section 4717.31, or section 2658  
4717.41 of the Revised Code. 2659

(oo) Telephone numbers for a party to a motor vehicle 2660  
accident subject to the requirements of section 5502.11 of the 2661  
Revised Code that are listed on any law enforcement record or 2662  
report, except that the telephone numbers described in this 2663  
division are not excluded from the definition of "public record" 2664  
under this division on and after the thirtieth day after the 2665  
occurrence of the motor vehicle accident. 2666

(pp) Records pertaining to individuals who complete training 2667  
under section 5502.703 of the Revised Code to be permitted by a 2668  
school district board of education or governing body of a 2669  
community school established under Chapter 3314. of the Revised 2670

Code, a STEM school established under Chapter 3326. of the Revised Code, or a chartered nonpublic school to convey deadly weapons or dangerous ordnance into a school safety zone; 2671  
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(qq) Records, documents, reports, or other information presented to a domestic violence fatality review board established under section 307.651 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than a report prepared pursuant to section 307.656 of the Revised Code; 2674  
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(rr) Records, documents, and information the release of which is prohibited under sections 2930.04 and 2930.07 of the Revised Code. 2681  
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(ss) Records of an existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code that do not pertain to a purpose for which the district is created; 2684  
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A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the Revised Code, a denial of release form filed pursuant to section 3107.46 of the Revised Code, or any record that is exempt from release or disclosure under section 149.433 of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section 3107.391 of the Revised Code, the name of that parent 2688  
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shall be redacted from the birth certificate before it is released 2701  
under this paragraph. If any other section of the Revised Code 2702  
establishes a time period for disclosure of a record that 2703  
conflicts with the time period specified in this section, the time 2704  
period in the other section prevails. 2705

(2) "Confidential law enforcement investigatory record" means 2706  
any record that pertains to a law enforcement matter of a 2707  
criminal, quasi-criminal, civil, or administrative nature, but 2708  
only to the extent that the release of the record would create a 2709  
high probability of disclosure of any of the following: 2710

(a) The identity of a suspect who has not been charged with 2711  
the offense to which the record pertains, or of an information 2712  
source or witness to whom confidentiality has been reasonably 2713  
promised; 2714

(b) Information provided by an information source or witness 2715  
to whom confidentiality has been reasonably promised, which 2716  
information would reasonably tend to disclose the source's or 2717  
witness's identity; 2718

(c) Specific confidential investigatory techniques or 2719  
procedures or specific investigatory work product; 2720

(d) Information that would endanger the life or physical 2721  
safety of law enforcement personnel, a crime victim, a witness, or 2722  
a confidential information source. 2723

(3) "Medical record" means any document or combination of 2724  
documents, except births, deaths, and the fact of admission to or 2725  
discharge from a hospital, that pertains to the medical history, 2726  
diagnosis, prognosis, or medical condition of a patient and that 2727  
is generated and maintained in the process of medical treatment. 2728

(4) "Trial preparation record" means any record that contains 2729

information that is specifically compiled in reasonable 2730  
 anticipation of, or in defense of, a civil or criminal action or 2731  
 proceeding, including the independent thought processes and 2732  
 personal trial preparation of an attorney. 2733

(5) "Intellectual property record" means a record, other than 2734  
 a financial or administrative record, that is produced or 2735  
 collected by or for faculty or staff of a state institution of 2736  
 higher learning in the conduct of or as a result of study or 2737  
 research on an educational, commercial, scientific, artistic, 2738  
 technical, or scholarly issue, regardless of whether the study or 2739  
 research was sponsored by the institution alone or in conjunction 2740  
 with a governmental body or private concern, and that has not been 2741  
 publicly released, published, or patented. 2742

(6) "Donor profile record" means all records about donors or 2743  
 potential donors to a public institution of higher education 2744  
 except the names and reported addresses of the actual donors and 2745  
 the date, amount, and conditions of the actual donation. 2746

(7) "Designated public service worker" means a peace officer, 2747  
 parole officer, probation officer, bailiff, prosecuting attorney, 2748  
 assistant prosecuting attorney, correctional employee, county or 2749  
 multicounty corrections officer, community-based correctional 2750  
 facility employee, designated Ohio national guard member, 2751  
 protective services worker, youth services employee, firefighter, 2752  
 EMT, medical director or member of a cooperating physician 2753  
 advisory board of an emergency medical service organization, state 2754  
 board of pharmacy employee, investigator of the bureau of criminal 2755  
 identification and investigation, emergency service 2756  
 telecommunicator, forensic mental health provider, mental health 2757  
 evaluation provider, regional psychiatric hospital employee, 2758  
 judge, magistrate, or federal law enforcement officer. 2759

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| (8) "Designated public service worker residential and              | 2760 |
| familial information" means any information that discloses any of  | 2761 |
| the following about a designated public service worker:            | 2762 |
| (a) The address of the actual personal residence of a              | 2763 |
| designated public service worker, except for the following         | 2764 |
| information:                                                       | 2765 |
| (i) The address of the actual personal residence of a              | 2766 |
| prosecuting attorney or judge; and                                 | 2767 |
| (ii) The state or political subdivision in which a designated      | 2768 |
| public service worker resides.                                     | 2769 |
| (b) Information compiled from referral to or participation in      | 2770 |
| an employee assistance program;                                    | 2771 |
| (c) The social security number, the residential telephone          | 2772 |
| number, any bank account, debit card, charge card, or credit card  | 2773 |
| number, or the emergency telephone number of, or any medical       | 2774 |
| information pertaining to, a designated public service worker;     | 2775 |
| (d) The name of any beneficiary of employment benefits,            | 2776 |
| including, but not limited to, life insurance benefits, provided   | 2777 |
| to a designated public service worker by the designated public     | 2778 |
| service worker's employer;                                         | 2779 |
| (e) The identity and amount of any charitable or employment        | 2780 |
| benefit deduction made by the designated public service worker's   | 2781 |
| employer from the designated public service worker's compensation, | 2782 |
| unless the amount of the deduction is required by state or federal | 2783 |
| law;                                                               | 2784 |
| (f) The name, the residential address, the name of the             | 2785 |
| employer, the address of the employer, the social security number, | 2786 |
| the residential telephone number, any bank account, debit card,    | 2787 |
| charge card, or credit card number, or the emergency telephone     | 2788 |



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| number of the spouse, a former spouse, or any child of a           | 2789 |
| designated public service worker;                                  | 2790 |
| (g) A photograph of a peace officer who holds a position or        | 2791 |
| has an assignment that may include undercover or plain clothes     | 2792 |
| positions or assignments as determined by the peace officer's      | 2793 |
| appointing authority.                                              | 2794 |
| (9) As used in divisions (A)(7) and (15) to (17) of this           | 2795 |
| section:                                                           | 2796 |
| "Peace officer" has the meaning defined in section 109.71 of       | 2797 |
| the Revised Code and also includes the superintendent and troopers | 2798 |
| of the state highway patrol; it does not include the sheriff of a  | 2799 |
| county or a supervisory employee who, in the absence of the        | 2800 |
| sheriff, is authorized to stand in for, exercise the authority of, | 2801 |
| and perform the duties of the sheriff.                             | 2802 |
| "Correctional employee" means any employee of the department       | 2803 |
| of rehabilitation and correction who in the course of performing   | 2804 |
| the employee's job duties has or has had contact with inmates and  | 2805 |
| persons under supervision.                                         | 2806 |
| "County or multicounty corrections officer" means any              | 2807 |
| corrections officer employed by any county or multicounty          | 2808 |
| correctional facility.                                             | 2809 |
| "Designated Ohio national guard member" means a member of the      | 2810 |
| Ohio national guard who is participating in duties related to      | 2811 |
| remotely piloted aircraft, including, but not limited to, pilots,  | 2812 |
| sensor operators, and mission intelligence personnel, duties       | 2813 |
| related to special forces operations, or duties related to         | 2814 |
| cybersecurity, and is designated by the adjutant general as a      | 2815 |
| designated public service worker for those purposes.               | 2816 |
| "Protective services worker" means any employee of a county        | 2817 |

agency who is responsible for child protective services, child support services, or adult protective services. 2818  
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"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services. 2820  
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"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village. 2824  
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"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code. 2827  
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"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code. 2832  
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"Emergency service telecommunicator" ~~has the meaning defined in section 4742.01 of the Revised Code~~ means an individual employed by an emergency service provider as defined under section 128.01 of the Revised Code, whose primary responsibility is to be an operator for the receipt or processing of calls for emergency services made by telephone, radio, or other electronic means. 2835  
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"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2841  
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2945.402 of the Revised Code. 2847

"Mental health evaluation provider" means an individual who, 2848  
under Chapter 5122. of the Revised Code, examines a respondent who 2849  
is alleged to be a mentally ill person subject to court order, as 2850  
defined in section 5122.01 of the Revised Code, and reports to the 2851  
probate court the respondent's mental condition. 2852

"Regional psychiatric hospital employee" means any employee 2853  
of the department of mental health and addiction services who, in 2854  
the course of performing the employee's duties, has contact with 2855  
patients committed to the department of mental health and 2856  
addiction services by a court order pursuant to section 2945.38, 2857  
2945.39, 2945.40, or 2945.402 of the Revised Code. 2858

"Federal law enforcement officer" has the meaning defined in 2859  
section 9.88 of the Revised Code. 2860

(10) "Information pertaining to the recreational activities 2861  
of a person under the age of eighteen" means information that is 2862  
kept in the ordinary course of business by a public office, that 2863  
pertains to the recreational activities of a person under the age 2864  
of eighteen years, and that discloses any of the following: 2865

(a) The address or telephone number of a person under the age 2866  
of eighteen or the address or telephone number of that person's 2867  
parent, guardian, custodian, or emergency contact person; 2868

(b) The social security number, birth date, or photographic 2869  
image of a person under the age of eighteen; 2870

(c) Any medical record, history, or information pertaining to 2871  
a person under the age of eighteen; 2872

(d) Any additional information sought or required about a 2873  
person under the age of eighteen for the purpose of allowing that 2874  
person to participate in any recreational activity conducted or 2875

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| sponsored by a public office or to use or obtain admission         | 2876 |
| privileges to any recreational facility owned or operated by a     | 2877 |
| public office.                                                     | 2878 |
| (11) "Community control sanction" has the meaning defined in       | 2879 |
| section 2929.01 of the Revised Code.                               | 2880 |
| (12) "Post-release control sanction" has the meaning defined       | 2881 |
| in section 2967.01 of the Revised Code.                            | 2882 |
| (13) "Redaction" means obscuring or deleting any information       | 2883 |
| that is exempt from the duty to permit public inspection or        | 2884 |
| copying from an item that otherwise meets the definition of a      | 2885 |
| "record" in section 149.011 of the Revised Code.                   | 2886 |
| (14) "Designee," "elected official," and "future official"         | 2887 |
| have the meanings defined in section 109.43 of the Revised Code.   | 2888 |
| (15) "Body-worn camera" means a visual and audio recording         | 2889 |
| device worn on the person of a correctional employee, youth        | 2890 |
| services employee, or peace officer while the correctional         | 2891 |
| employee, youth services employee, or peace officer is engaged in  | 2892 |
| the performance of official duties.                                | 2893 |
| (16) "Dashboard camera" means a visual and audio recording         | 2894 |
| device mounted on a peace officer's vehicle or vessel that is used | 2895 |
| while the peace officer is engaged in the performance of the peace | 2896 |
| officer's duties.                                                  | 2897 |
| (17) "Restricted portions of a body-worn camera or dashboard       | 2898 |
| camera recording" means any visual or audio portion of a body-worn | 2899 |
| camera or dashboard camera recording that shows, communicates, or  | 2900 |
| discloses any of the following:                                    | 2901 |
| (a) The image or identity of a child or information that           | 2902 |
| could lead to the identification of a child who is a primary       | 2903 |
| subject of the recording when the department of rehabilitation and | 2904 |

correction, department of youth services, or the law enforcement 2905  
agency knows or has reason to know the person is a child based on 2906  
the department's or law enforcement agency's records or the 2907  
content of the recording; 2908

(b) The death of a person or a deceased person's body, unless 2909  
the death was caused by a correctional employee, youth services 2910  
employee, or peace officer or, subject to division (H)(1) of this 2911  
section, the consent of the decedent's executor or administrator 2912  
has been obtained; 2913

(c) The death of a correctional employee, youth services 2914  
employee, peace officer, firefighter, paramedic, or other first 2915  
responder, occurring while the decedent was engaged in the 2916  
performance of official duties, unless, subject to division (H)(1) 2917  
of this section, the consent of the decedent's executor or 2918  
administrator has been obtained; 2919

(d) Grievous bodily harm, unless the injury was effected by a 2920  
correctional employee, youth services employee, or peace officer 2921  
or, subject to division (H)(1) of this section, the consent of the 2922  
injured person or the injured person's guardian has been obtained; 2923

(e) An act of severe violence against a person that results 2924  
in serious physical harm to the person, unless the act and injury 2925  
was effected by a correctional employee, youth services employee, 2926  
or peace officer or, subject to division (H)(1) of this section, 2927  
the consent of the injured person or the injured person's guardian 2928  
has been obtained; 2929

(f) Grievous bodily harm to a correctional employee, youth 2930  
services employee, peace officer, firefighter, paramedic, or other 2931  
first responder, occurring while the injured person was engaged in 2932  
the performance of official duties, unless, subject to division 2933  
(H)(1) of this section, the consent of the injured person or the 2934

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| injured person's guardian has been obtained;                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2935                                                         |
| (g) An act of severe violence resulting in serious physical harm against a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;                                                            | 2936<br>2937<br>2938<br>2939<br>2940<br>2941<br>2942         |
| (h) A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained;                                                                                                                                                                                                                                                                                                                                                                  | 2943<br>2944                                                 |
| (i) Protected health information, the identity of a person in a health care facility who is not the subject of a law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter;                                                                                                                                                                                                     | 2945<br>2946<br>2947<br>2948<br>2949                         |
| (j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence;                                                                                                                                                                                                                                                                                                                                                                   | 2950<br>2951                                                 |
| (k) Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or confidential information to the department of rehabilitation and correction, the department of youth services, or a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the person or another person; | 2952<br>2953<br>2954<br>2955<br>2956<br>2957<br>2958<br>2959 |
| (l) Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer;                                                                                                                                                                                                                                                                                                                                                              | 2960<br>2961                                                 |
| (m) Proprietary police contingency plans or tactics that are intended to prevent crime and maintain public order and safety;                                                                                                                                                                                                                                                                                                                                                           | 2962<br>2963                                                 |

|                                                                                                                                                                                                                               |                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| (n) A personal conversation unrelated to work between peace officers or between a peace officer and an employee of a law enforcement agency;                                                                                  | 2964<br>2965<br>2966         |
| (o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;                                                                                                       | 2967<br>2968                 |
| (p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer;                                                                  | 2969<br>2970<br>2971         |
| (q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location.                                    | 2972<br>2973<br>2974         |
| As used in division (A)(17) of this section:                                                                                                                                                                                  | 2975                         |
| "Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.                                                                                                                                       | 2976<br>2977                 |
| "Health care facility" has the same meaning as in section 1337.11 of the Revised Code.                                                                                                                                        | 2978<br>2979                 |
| "Protected health information" has the same meaning as in 45 C.F.R. 160.103.                                                                                                                                                  | 2980<br>2981                 |
| "Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.                                                                                                             | 2982<br>2983                 |
| "Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases. | 2984<br>2985<br>2986<br>2987 |
| "Sex offense" has the same meaning as in section 2907.10 of the Revised Code.                                                                                                                                                 | 2988<br>2989                 |
| "Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.                                                                                                           | 2990<br>2991                 |

(B)(1) Upon request by any person and subject to division 2992  
(B)(8) of this section, all public records responsive to the 2993  
request shall be promptly prepared and made available for 2994  
inspection to the requester at all reasonable times during regular 2995  
business hours. Subject to division (B)(8) of this section, upon 2996  
request by any person, a public office or person responsible for 2997  
public records shall make copies of the requested public record 2998  
available to the requester at cost and within a reasonable period 2999  
of time. If a public record contains information that is exempt 3000  
from the duty to permit public inspection or to copy the public 3001  
record, the public office or the person responsible for the public 3002  
record shall make available all of the information within the 3003  
public record that is not exempt. When making that public record 3004  
available for public inspection or copying that public record, the 3005  
public office or the person responsible for the public record 3006  
shall notify the requester of any redaction or make the redaction 3007  
plainly visible. A redaction shall be deemed a denial of a request 3008  
to inspect or copy the redacted information, except if federal or 3009  
state law authorizes or requires a public office to make the 3010  
redaction. 3011

(2) To facilitate broader access to public records, a public 3012  
office or the person responsible for public records shall organize 3013  
and maintain public records in a manner that they can be made 3014  
available for inspection or copying in accordance with division 3015  
(B) of this section. A public office also shall have available a 3016  
copy of its current records retention schedule at a location 3017  
readily available to the public. If a requester makes an ambiguous 3018  
or overly broad request or has difficulty in making a request for 3019  
copies or inspection of public records under this section such 3020  
that the public office or the person responsible for the requested 3021  
public record cannot reasonably identify what public records are 3022



being requested, the public office or the person responsible for 3023  
the requested public record may deny the request but shall provide 3024  
the requester with an opportunity to revise the request by 3025  
informing the requester of the manner in which records are 3026  
maintained by the public office and accessed in the ordinary 3027  
course of the public office's or person's duties. 3028

(3) If a request is ultimately denied, in part or in whole, 3029  
the public office or the person responsible for the requested 3030  
public record shall provide the requester with an explanation, 3031  
including legal authority, setting forth why the request was 3032  
denied. If the initial request was provided in writing, the 3033  
explanation also shall be provided to the requester in writing. 3034  
The explanation shall not preclude the public office or the person 3035  
responsible for the requested public record from relying upon 3036  
additional reasons or legal authority in defending an action 3037  
commenced under division (C) of this section. 3038

(4) Unless specifically required or authorized by state or 3039  
federal law or in accordance with division (B) of this section, no 3040  
public office or person responsible for public records may limit 3041  
or condition the availability of public records by requiring 3042  
disclosure of the requester's identity or the intended use of the 3043  
requested public record. Any requirement that the requester 3044  
disclose the requester's identity or the intended use of the 3045  
requested public record constitutes a denial of the request. 3046

(5) A public office or person responsible for public records 3047  
may ask a requester to make the request in writing, may ask for 3048  
the requester's identity, and may inquire about the intended use 3049  
of the information requested, but may do so only after disclosing 3050  
to the requester that a written request is not mandatory, that the 3051  
requester may decline to reveal the requester's identity or the 3052

intended use, and when a written request or disclosure of the  
identity or intended use would benefit the requester by enhancing  
the ability of the public office or person responsible for public  
records to identify, locate, or deliver the public records sought  
by the requester.

(6) If any person requests a copy of a public record in  
accordance with division (B) of this section, the public office or  
person responsible for the public record may require the requester  
to pay in advance the cost involved in providing the copy of the  
public record in accordance with the choice made by the requester  
under this division. The public office or the person responsible  
for the public record shall permit the requester to choose to have  
the public record duplicated upon paper, upon the same medium upon  
which the public office or person responsible for the public  
record keeps it, or upon any other medium upon which the public  
office or person responsible for the public record determines that  
it reasonably can be duplicated as an integral part of the normal  
operations of the public office or person responsible for the  
public record. When the requester makes a choice under this  
division, the public office or person responsible for the public  
record shall provide a copy of it in accordance with the choice  
made by the requester. Nothing in this section requires a public  
office or person responsible for the public record to allow the  
requester of a copy of the public record to make the copies of the  
public record.

(7)(a) Upon a request made in accordance with division (B) of  
this section and subject to division (B)(6) of this section, a  
public office or person responsible for public records shall  
transmit a copy of a public record to any person by United States  
mail or by any other means of delivery or transmission within a  
reasonable period of time after receiving the request for the

copy. The public office or person responsible for the public 3084  
record may require the person making the request to pay in advance 3085  
the cost of postage if the copy is transmitted by United States 3086  
mail or the cost of delivery if the copy is transmitted other than 3087  
by United States mail, and to pay in advance the costs incurred 3088  
for other supplies used in the mailing, delivery, or transmission. 3089

(b) Any public office may adopt a policy and procedures that 3090  
it will follow in transmitting, within a reasonable period of time 3091  
after receiving a request, copies of public records by United 3092  
States mail or by any other means of delivery or transmission 3093  
pursuant to division (B)(7) of this section. A public office that 3094  
adopts a policy and procedures under division (B)(7) of this 3095  
section shall comply with them in performing its duties under that 3096  
division. 3097

(c) In any policy and procedures adopted under division 3098  
(B)(7) of this section: 3099

(i) A public office may limit the number of records requested 3100  
by a person that the office will physically deliver by United 3101  
States mail or by another delivery service to ten per month, 3102  
unless the person certifies to the office in writing that the 3103  
person does not intend to use or forward the requested records, or 3104  
the information contained in them, for commercial purposes; 3105

(ii) A public office that chooses to provide some or all of 3106  
its public records on a web site that is fully accessible to and 3107  
searchable by members of the public at all times, other than 3108  
during acts of God outside the public office's control or 3109  
maintenance, and that charges no fee to search, access, download, 3110  
or otherwise receive records provided on the web site, may limit 3111  
to ten per month the number of records requested by a person that 3112  
the office will deliver in a digital format, unless the requested 3113

records are not provided on the web site and unless the person 3114  
certifies to the office in writing that the person does not intend 3115  
to use or forward the requested records, or the information 3116  
contained in them, for commercial purposes. 3117

(iii) For purposes of division (B)(7) of this section, 3118  
"commercial" shall be narrowly construed and does not include 3119  
reporting or gathering news, reporting or gathering information to 3120  
assist citizen oversight or understanding of the operation or 3121  
activities of government, or nonprofit educational research. 3122

(8) A public office or person responsible for public records 3123  
is not required to permit a person who is incarcerated pursuant to 3124  
a criminal conviction or a juvenile adjudication to inspect or to 3125  
obtain a copy of any public record concerning a criminal 3126  
investigation or prosecution or concerning what would be a 3127  
criminal investigation or prosecution if the subject of the 3128  
investigation or prosecution were an adult, unless the request to 3129  
inspect or to obtain a copy of the record is for the purpose of 3130  
acquiring information that is subject to release as a public 3131  
record under this section and the judge who imposed the sentence 3132  
or made the adjudication with respect to the person, or the 3133  
judge's successor in office, finds that the information sought in 3134  
the public record is necessary to support what appears to be a 3135  
justiciable claim of the person. 3136

(9)(a) Upon written request made and signed by a journalist, 3137  
a public office, or person responsible for public records, having 3138  
custody of the records of the agency employing a specified 3139  
designated public service worker shall disclose to the journalist 3140  
the address of the actual personal residence of the designated 3141  
public service worker and, if the designated public service 3142  
worker's spouse, former spouse, or child is employed by a public 3143

office, the name and address of the employer of the designated 3144  
public service worker's spouse, former spouse, or child. The 3145  
request shall include the journalist's name and title and the name 3146  
and address of the journalist's employer and shall state that 3147  
disclosure of the information sought would be in the public 3148  
interest. 3149

(b) Division (B)(9)(a) of this section also applies to 3150  
journalist requests for: 3151

(i) Customer information maintained by a municipally owned or 3152  
operated public utility, other than social security numbers and 3153  
any private financial information such as credit reports, payment 3154  
methods, credit card numbers, and bank account information; 3155

(ii) Information about minors involved in a school vehicle 3156  
accident as provided in division (A)(1)(gg) of this section, other 3157  
than personal information as defined in section 149.45 of the 3158  
Revised Code. 3159

(c) As used in division (B)(9) of this section, "journalist" 3160  
means a person engaged in, connected with, or employed by any news 3161  
medium, including a newspaper, magazine, press association, news 3162  
agency, or wire service, a radio or television station, or a 3163  
similar medium, for the purpose of gathering, processing, 3164  
transmitting, compiling, editing, or disseminating information for 3165  
the general public. 3166

(10) Upon a request made by a victim, victim's attorney, or 3167  
victim's representative, as that term is used in section 2930.02 3168  
of the Revised Code, a public office or person responsible for 3169  
public records shall transmit a copy of a depiction of the victim 3170  
as described in division (A)(1)(ii) of this section to the victim, 3171  
victim's attorney, or victim's representative. 3172

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

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

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

(2) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public

records, except as otherwise provided in this section, the 3203  
requester shall be entitled to recover the amount of statutory 3204  
damages set forth in this division if a court determines that the 3205  
public office or the person responsible for public records failed 3206  
to comply with an obligation in accordance with division (B) of 3207  
this section. 3208

The amount of statutory damages shall be fixed at one hundred 3209  
dollars for each business day during which the public office or 3210  
person responsible for the requested public records failed to 3211  
comply with an obligation in accordance with division (B) of this 3212  
section, beginning with the day on which the requester files a 3213  
mandamus action to recover statutory damages, up to a maximum of 3214  
one thousand dollars. The award of statutory damages shall not be 3215  
construed as a penalty, but as compensation for injury arising 3216  
from lost use of the requested information. The existence of this 3217  
injury shall be conclusively presumed. The award of statutory 3218  
damages shall be in addition to all other remedies authorized by 3219  
this section. 3220

The court may reduce an award of statutory damages or not 3221  
award statutory damages if the court determines both of the 3222  
following: 3223

(a) That, based on the ordinary application of statutory law 3224  
and case law as it existed at the time of the conduct or 3225  
threatened conduct of the public office or person responsible for 3226  
the requested public records that allegedly constitutes a failure 3227  
to comply with an obligation in accordance with division (B) of 3228  
this section and that was the basis of the mandamus action, a 3229  
well-informed public office or person responsible for the 3230  
requested public records reasonably would believe that the conduct 3231  
or threatened conduct of the public office or person responsible 3232

for the requested public records did not constitute a failure to 3233  
comply with an obligation in accordance with division (B) of this 3234  
section; 3235

(b) That a well-informed public office or person responsible 3236  
for the requested public records reasonably would believe that the 3237  
conduct or threatened conduct of the public office or person 3238  
responsible for the requested public records would serve the 3239  
public policy that underlies the authority that is asserted as 3240  
permitting that conduct or threatened conduct. 3241

(3) In a mandamus action filed under division (C)(1) of this 3242  
section, the following apply: 3243

(a)(i) If the court orders the public office or the person 3244  
responsible for the public record to comply with division (B) of 3245  
this section, the court shall determine and award to the relator 3246  
all court costs, which shall be construed as remedial and not 3247  
punitive. 3248

(ii) If the court makes a determination described in division 3249  
(C)(3)(b)(iii) of this section, the court shall determine and 3250  
award to the relator all court costs, which shall be construed as 3251  
remedial and not punitive. 3252

(b) If the court renders a judgment that orders the public 3253  
office or the person responsible for the public record to comply 3254  
with division (B) of this section or if the court determines any 3255  
of the following, the court may award reasonable attorney's fees 3256  
to the relator, subject to division (C)(4) of this section: 3257

(i) The public office or the person responsible for the 3258  
public records failed to respond affirmatively or negatively to 3259  
the public records request in accordance with the time allowed 3260  
under division (B) of this section. 3261



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

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

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

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct

or threatened conduct of the public office or person responsible 3292  
 for the requested public records did not constitute a failure to 3293  
 comply with an obligation in accordance with division (B) of this 3294  
 section; 3295

(ii) That a well-informed public office or person responsible 3296  
 for the requested public records reasonably would believe that the 3297  
 conduct or threatened conduct of the public office or person 3298  
 responsible for the requested public records would serve the 3299  
 public policy that underlies the authority that is asserted as 3300  
 permitting that conduct or threatened conduct. 3301

(4) All of the following apply to any award of reasonable 3302  
 attorney's fees awarded under division (C)(3)(b) of this section: 3303

(a) The fees shall be construed as remedial and not punitive. 3304

(b) The fees awarded shall not exceed the total of the 3305  
 reasonable attorney's fees incurred before the public record was 3306  
 made available to the relator and the fees described in division 3307  
 (C)(4)(c) of this section. 3308

(c) Reasonable attorney's fees shall include reasonable fees 3309  
 incurred to produce proof of the reasonableness and amount of the 3310  
 fees and to otherwise litigate entitlement to the fees. 3311

(d) The court may reduce the amount of fees awarded if the 3312  
 court determines that, given the factual circumstances involved 3313  
 with the specific public records request, an alternative means 3314  
 should have been pursued to more effectively and efficiently 3315  
 resolve the dispute that was subject to the mandamus action filed 3316  
 under division (C)(1) of this section. 3317

(5) If the court does not issue a writ of mandamus under 3318  
 division (C) of this section and the court determines at that time 3319  
 that the bringing of the mandamus action was frivolous conduct as 3320

defined in division (A) of section 2323.51 of the Revised Code, 3321  
the court may award to the public office all court costs, 3322  
expenses, and reasonable attorney's fees, as determined by the 3323  
court. 3324

(D) Chapter 1347. of the Revised Code does not limit the 3325  
provisions of this section. 3326

(E)(1) To ensure that all employees of public offices are 3327  
appropriately educated about a public office's obligations under 3328  
division (B) of this section, all elected officials or their 3329  
appropriate designees shall attend training approved by the 3330  
attorney general as provided in section 109.43 of the Revised 3331  
Code. A future official may satisfy the requirements of this 3332  
division by attending the training before taking office, provided 3333  
that the future official may not send a designee in the future 3334  
official's place. 3335

(2) All public offices shall adopt a public records policy in 3336  
compliance with this section for responding to public records 3337  
requests. In adopting a public records policy under this division, 3338  
a public office may obtain guidance from the model public records 3339  
policy developed and provided to the public office by the attorney 3340  
general under section 109.43 of the Revised Code. Except as 3341  
otherwise provided in this section, the policy may not limit the 3342  
number of public records that the public office will make 3343  
available to a single person, may not limit the number of public 3344  
records that it will make available during a fixed period of time, 3345  
and may not establish a fixed period of time before it will 3346  
respond to a request for inspection or copying of public records, 3347  
unless that period is less than eight hours. 3348

The public office shall distribute the public records policy 3349  
adopted by the public office under this division to the employee 3350

of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

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

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

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

(b) "Bulk commercial special extraction request" means a

request for copies of a record for information in a format other 3381  
than the format already available, or information that cannot be 3382  
extracted without examination of all items in a records series, 3383  
class of records, or database by a person who intends to use or 3384  
forward the copies for surveys, marketing, solicitation, or resale 3385  
for commercial purposes. "Bulk commercial special extraction 3386  
request" does not include a request by a person who gives 3387  
assurance to the bureau that the person making the request does 3388  
not intend to use or forward the requested copies for surveys, 3389  
marketing, solicitation, or resale for commercial purposes. 3390

(c) "Commercial" means profit-seeking production, buying, or 3391  
selling of any good, service, or other product. 3392

(d) "Special extraction costs" means the cost of the time 3393  
spent by the lowest paid employee competent to perform the task, 3394  
the actual amount paid to outside private contractors employed by 3395  
the bureau, or the actual cost incurred to create computer 3396  
programs to make the special extraction. "Special extraction 3397  
costs" include any charges paid to a public agency for computer or 3398  
records services. 3399

(3) For purposes of divisions (F)(1) and (2) of this section, 3400  
"surveys, marketing, solicitation, or resale for commercial 3401  
purposes" shall be narrowly construed and does not include 3402  
reporting or gathering news, reporting or gathering information to 3403  
assist citizen oversight or understanding of the operation or 3404  
activities of government, or nonprofit educational research. 3405

(G) A request by a defendant, counsel of a defendant, or any 3406  
agent of a defendant in a criminal action that public records 3407  
related to that action be made available under this section shall 3408  
be considered a demand for discovery pursuant to the Criminal 3409  
Rules, except to the extent that the Criminal Rules plainly 3410

indicate a contrary intent. The defendant, counsel of the  
defendant, or agent of the defendant making a request under this  
division shall serve a copy of the request on the prosecuting  
attorney, director of law, or other chief legal officer  
responsible for prosecuting the action.

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

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

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

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

**Sec. 4776.20.** (A) As used in this section: 3440

(1) "Licensing agency" means, in addition to each board 3441  
 identified in division (C) of section 4776.01 of the Revised Code, 3442  
 the board or other government entity authorized to issue a license 3443  
 under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 3444  
 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., ~~4742.,~~ 3445  
 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 3446  
 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing 3447  
 agency" includes an administrative officer that has authority to 3448  
 issue a license. 3449

(2) "Licensee" means, in addition to a licensee as described 3450  
 in division (B) of section 4776.01 of the Revised Code, the person 3451  
 to whom a license is issued by the board or other government 3452  
 entity authorized to issue a license under Chapters 4703., 4707., 3453  
 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 3454  
 4736., 4737., 4738., 4740., ~~4742.,~~ 4747., 4749., 4751., 4752., 3455  
 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 3456  
 4781. of the Revised Code. 3457

(3) "Prosecutor" has the same meaning as in section 2935.01 3458  
 of the Revised Code. 3459

(B) On a licensee's conviction of, plea of guilty to, 3460  
 judicial finding of guilt of, or judicial finding of guilt 3461  
 resulting from a plea of no contest to the offense of trafficking 3462  
 in persons in violation of section 2905.32 of the Revised Code, 3463  
 the prosecutor in the case shall promptly notify the licensing 3464  
 agency of the conviction, plea, or finding and provide the 3465  
 licensee's name and residential address. On receipt of this 3466  
 notification, the licensing agency shall immediately suspend the 3467  
 licensee's license. 3468

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code.

**Sec. 5703.052.** (A) There is hereby created in the state treasury the tax refund fund, from which refunds shall be paid for taxes illegally or erroneously assessed or collected, or for any other reason overpaid, that are levied by Chapter 4301., 4305., 5726., 5728., 5729., 5731., 5733., 5735., 5736., 5739., 5741., 5743., 5747., 5748., 5749., 5751., or 5753. and sections 3737.71,



3905.35, 3905.36, 4303.33, 5707.03, 5725.18, 5727.28, 5727.38, 3499  
 5727.81, and 5727.811 of the Revised Code. Refunds for fees ~~or~~ 3500  
levied under sections 3734.90 to 3734.9014 of the Revised Code, 3501  
 wireless 9-1-1 charges imposed under section 128.40 of the Revised 3502  
Code, or next generation 9-1-1 access fees imposed under sections 3503  
128.41 and 128.42 of the Revised Code illegally or erroneously 3504  
 assessed or collected, or for any other reason overpaid, ~~that are~~ 3505  
~~levied by sections 128.42 or 3734.90 to 3734.9014 of the Revised~~ 3506  
~~Code~~ also shall be paid from the fund. Refunds for amounts 3507  
 illegally or erroneously assessed or collected by the tax 3508  
 commissioner, or for any other reason overpaid, that are due under 3509  
 section 1509.50 of the Revised Code shall be paid from the fund. 3510  
 Refunds for amounts illegally or erroneously assessed or collected 3511  
 by the commissioner, or for any other reason overpaid to the 3512  
 commissioner, under sections 718.80 to 718.95 of the Revised Code 3513  
 shall be paid from the fund. However, refunds for taxes levied 3514  
 under section 5739.101 of the Revised Code shall not be paid from 3515  
 the tax refund fund, but shall be paid as provided in section 3516  
 5739.104 of the Revised Code. 3517

(B)(1) Upon certification by the tax commissioner to the 3518  
 treasurer of state of a tax refund, a wireless 9-1-1 charge 3519  
 refund, a next generation 9-1-1 access fee refund, or another 3520  
 amount refunded, or by the superintendent of insurance of a 3521  
 domestic or foreign insurance tax refund, the treasurer of state 3522  
 shall place the amount certified to the credit of the fund. The 3523  
 certified amount transferred shall be derived from the receipts of 3524  
 the same tax, fee, wireless 9-1-1 charge, next generation 9-1-1 3525  
access fee, or other amount from which the refund arose. 3526

(2) When a refund is for a tax, fee, wireless 9-1-1 charge, 3527  
next generation 9-1-1 access fee, or other amount that is not 3528

levied by the state or that was illegally or erroneously 3529  
distributed to a taxing jurisdiction, the tax commissioner shall 3530  
recover the amount of that refund from the next distribution of 3531  
that tax, fee, wireless 9-1-1 charge, next generation 9-1-1 access 3532  
fee, or other amount that otherwise would be made to the taxing 3533  
jurisdiction. If the amount to be recovered would exceed 3534  
twenty-five per cent of the next distribution of that tax, fee, 3535  
wireless 9-1-1 charge, next generation 9-1-1 access fee, or other 3536  
amount, the commissioner may spread the recovery over more than 3537  
one future distribution, taking into account the amount to be 3538  
recovered and the amount of the anticipated future distributions. 3539  
In no event may the commissioner spread the recovery over a period 3540  
to exceed thirty-six months. 3541

**Sec. 5733.55.** (A) As used in this section: 3542

(1) "9-1-1 system" has the same meaning as in section 128.01 3543  
of the Revised Code. 3544

(2) "Nonrecurring 9-1-1 charges" means nonrecurring charges 3545  
approved by the public utilities commission for the telephone 3546  
network portion of a 9-1-1 system pursuant to section ~~128.18~~128.33 3547  
of the Revised Code. 3548

(3) "Eligible nonrecurring 9-1-1 charges" means all 3549  
nonrecurring 9-1-1 charges for a 9-1-1 system except both of the 3550  
following: 3551

(a) Charges for a system that was not established pursuant to 3552  
a plan adopted under section 128.08 of the Revised Code ~~or an~~ 3553  
~~agreement under section 128.09 of the Revised Code;~~ 3554

(b) Charges for that part of a system established pursuant to 3555  
such a plan ~~or agreement~~ that are excluded from the credit by 3556  
division (C)(2) of section ~~128.18~~128.33 of the Revised Code. 3557

(4) "Telephone company" has the same meaning as in section 3558  
5727.01 of the Revised Code. 3559

(B) Beginning in tax year 2005, a telephone company shall be 3560  
allowed a nonrefundable credit against the tax imposed by section 3561  
5733.06 of the Revised Code equal to the amount of its eligible 3562  
nonrecurring 9-1-1 charges. The credit shall be claimed for the 3563  
company's taxable year that covers the period in which the 9-1-1 3564  
service for which the credit is claimed becomes available for use. 3565  
The credit shall be claimed in the order required by section 3566  
5733.98 of the Revised Code. If the credit exceeds the total taxes 3567  
due under section 5733.06 of the Revised Code for the tax year, 3568  
the tax commissioner shall credit the excess against taxes due 3569  
under that section for succeeding tax years until the full amount 3570  
of the credit is granted. 3571

(C) After the last day a return, with any extensions, may be 3572  
filed by any telephone company that is eligible to claim a credit 3573  
under this section, the commissioner shall determine whether the 3574  
sum of the credits allowed for prior tax years commencing with tax 3575  
year 2005 plus the sum of the credits claimed for the current tax 3576  
year exceeds fifteen million dollars. If it does, the credits 3577  
allowed under this section for the current tax year shall be 3578  
reduced by a uniform percentage such that the sum of the credits 3579  
allowed for the current tax year do not exceed fifteen million 3580  
dollars claimed by all telephone companies for all tax years. 3581  
Thereafter, no credit shall be granted under this section, except 3582  
for the remaining portions of any credits allowed under division 3583  
(B) of this section. 3584

(D) A telephone company that is entitled to carry forward a 3585  
credit against its public utility excise tax liability under 3586  
section 5727.39 of the Revised Code is entitled to carry forward 3587

any amount of that credit remaining after its last public utility 3588  
excise tax payment for the period of July 1, 2003, through June 3589  
30, 2004, and claim that amount as a credit against its 3590  
corporation franchise tax liability under this section. Nothing in 3591  
this section authorizes a telephone company to claim a credit 3592  
under this section for any eligible nonrecurring 9-1-1 charges for 3593  
which it has already claimed a credit under this section or 3594  
section 5727.39 of the Revised Code. 3595

**Sec. 5751.01.** As used in this chapter: 3596

(A) "Person" means, but is not limited to, individuals, 3597  
combinations of individuals of any form, receivers, assignees, 3598  
trustees in bankruptcy, firms, companies, joint-stock companies, 3599  
business trusts, estates, partnerships, limited liability 3600  
partnerships, limited liability companies, associations, joint 3601  
ventures, clubs, societies, for-profit corporations, S 3602  
corporations, qualified subchapter S subsidiaries, qualified 3603  
subchapter S trusts, trusts, entities that are disregarded for 3604  
federal income tax purposes, and any other entities. 3605

(B) "Consolidated elected taxpayer" means a group of two or 3606  
more persons treated as a single taxpayer for purposes of this 3607  
chapter as the result of an election made under section 5751.011 3608  
of the Revised Code. 3609

(C) "Combined taxpayer" means a group of two or more persons 3610  
treated as a single taxpayer for purposes of this chapter under 3611  
section 5751.012 of the Revised Code. 3612

(D) "Taxpayer" means any person, or any group of persons in 3613  
the case of a consolidated elected taxpayer or combined taxpayer 3614  
treated as one taxpayer, required to register or pay tax under 3615  
this chapter. "Taxpayer" does not include excluded persons. 3616

(E) "Excluded person" means any of the following: 3617

(1) Any person with not more than one hundred fifty thousand 3618  
dollars of taxable gross receipts during the calendar year. 3619  
Division (E)(1) of this section does not apply to a person that is 3620  
a member of a consolidated elected taxpayer. 3621

(2) A public utility that paid the excise tax imposed by 3622  
section 5727.24 or 5727.30 of the Revised Code based on one or 3623  
more measurement periods that include the entire tax period under 3624  
this chapter, except that a public utility that is a combined 3625  
company is a taxpayer with regard to the following gross receipts: 3626

(a) Taxable gross receipts directly attributed to a public 3627  
utility activity, but not directly attributed to an activity that 3628  
is subject to the excise tax imposed by section 5727.24 or 5727.30 3629  
of the Revised Code; 3630

(b) Taxable gross receipts that cannot be directly attributed 3631  
to any activity, multiplied by a fraction whose numerator is the 3632  
taxable gross receipts described in division (E)(2)(a) of this 3633  
section and whose denominator is the total taxable gross receipts 3634  
that can be directly attributed to any activity; 3635

(c) Except for any differences resulting from the use of an 3636  
accrual basis method of accounting for purposes of determining 3637  
gross receipts under this chapter and the use of the cash basis 3638  
method of accounting for purposes of determining gross receipts 3639  
under section 5727.24 of the Revised Code, the gross receipts 3640  
directly attributed to the activity of a natural gas company shall 3641  
be determined in a manner consistent with division (D) of section 3642  
5727.03 of the Revised Code. 3643

As used in division (E)(2) of this section, "combined 3644  
company" and "public utility" have the same meanings as in section 3645

5727.01 of the Revised Code. 3646

(3) A financial institution, as defined in section 5726.01 of 3647  
the Revised Code, that paid the tax imposed by section 5726.02 of 3648  
the Revised Code based on one or more taxable years that include 3649  
the entire tax period under this chapter; 3650

(4) A person directly or indirectly owned by one or more 3651  
financial institutions, as defined in section 5726.01 of the 3652  
Revised Code, that paid the tax imposed by section 5726.02 of the 3653  
Revised Code based on one or more taxable years that include the 3654  
entire tax period under this chapter. 3655

For the purposes of division (E)(4) of this section, a person 3656  
owns another person under the following circumstances: 3657

(a) In the case of corporations issuing capital stock, one 3658  
corporation owns another corporation if it owns fifty per cent or 3659  
more of the other corporation's capital stock with current voting 3660  
rights; 3661

(b) In the case of a limited liability company, one person 3662  
owns the company if that person's membership interest, as defined 3663  
in section 1706.01 of the Revised Code, is fifty per cent or more 3664  
of the combined membership interests of all persons owning such 3665  
interests in the company; 3666

(c) In the case of a partnership, trust, or other 3667  
unincorporated business organization other than a limited 3668  
liability company, one person owns the organization if, under the 3669  
articles of organization or other instrument governing the affairs 3670  
of the organization, that person has a beneficial interest in the 3671  
organization's profits, surpluses, losses, or distributions of 3672  
fifty per cent or more of the combined beneficial interests of all 3673  
persons having such an interest in the organization. 3674

(5) A domestic insurance company or foreign insurance company, as defined in section 5725.01 of the Revised Code, that paid the insurance company premiums tax imposed by section 5725.18 or Chapter 5729. of the Revised Code, or an unauthorized insurance company whose gross premiums are subject to tax under section 3905.36 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter;

(6) A person that solely facilitates or services one or more securitizations of phase-in-recovery property pursuant to a final financing order as those terms are defined in section 4928.23 of the Revised Code. For purposes of this division, "securitization" means transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

(7) Except as otherwise provided in this division, a pre-income tax trust as defined in section 5747.01 of the Revised Code and any pass-through entity of which such pre-income tax trust owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests. If the pre-income tax trust has made a qualifying pre-income tax trust election under division (EE) of section 5747.01 of the Revised Code, then the trust and the pass-through entities of which it owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests, shall not be excluded persons for purposes of the tax imposed under section 5751.02 of the Revised Code.

(8) Nonprofit organizations or the state and its agencies, instrumentalities, or political subdivisions.

(F) Except as otherwise provided in divisions (F)(2), (3),

and (4) of this section, "gross receipts" means the total amount  
realized by a person, without deduction for the cost of goods sold  
or other expenses incurred, that contributes to the production of  
gross income of the person, including the fair market value of any  
property and any services received, and any debt transferred or  
forgiven as consideration.

(1) The following are examples of gross receipts:

(a) Amounts realized from the sale, exchange, or other  
disposition of the taxpayer's property to or with another;

(b) Amounts realized from the taxpayer's performance of  
services for another;

(c) Amounts realized from another's use or possession of the  
taxpayer's property or capital;

(d) Any combination of the foregoing amounts.

(2) "Gross receipts" excludes the following amounts:

(a) Interest income except interest on credit sales;

(b) Dividends and distributions from corporations, and  
distributive or proportionate shares of receipts and income from a  
pass-through entity as defined under section 5733.04 of the  
Revised Code;

(c) Receipts from the sale, exchange, or other disposition of  
an asset described in section 1221 or 1231 of the Internal Revenue  
Code, without regard to the length of time the person held the  
asset. Notwithstanding section 1221 of the Internal Revenue Code,  
receipts from hedging transactions also are excluded to the extent  
the transactions are entered into primarily to protect a financial  
position, such as managing the risk of exposure to (i) foreign  
currency fluctuations that affect assets, liabilities, profits,



losses, equity, or investments in foreign operations; (ii) 3733  
 interest rate fluctuations; or (iii) commodity price fluctuations. 3734  
 As used in division (F)(2)(c) of this section, "hedging 3735  
 transaction" has the same meaning as used in section 1221 of the 3736  
 Internal Revenue Code and also includes transactions accorded 3737  
 hedge accounting treatment under statement of financial accounting 3738  
 standards number 133 of the financial accounting standards board. 3739  
 For the purposes of division (F)(2)(c) of this section, the actual 3740  
 transfer of title of real or tangible personal property to another 3741  
 entity is not a hedging transaction. 3742

(d) Proceeds received attributable to the repayment, 3743  
 maturity, or redemption of the principal of a loan, bond, mutual 3744  
 fund, certificate of deposit, or marketable instrument; 3745

(e) The principal amount received under a repurchase 3746  
 agreement or on account of any transaction properly characterized 3747  
 as a loan to the person; 3748

(f) Contributions received by a trust, plan, or other 3749  
 arrangement, any of which is described in section 501(a) of the 3750  
 Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 3751  
 1, Subchapter (D) of the Internal Revenue Code applies; 3752

(g) Compensation, whether current or deferred, and whether in 3753  
 cash or in kind, received or to be received by an employee, former 3754  
 employee, or the employee's legal successor for services rendered 3755  
 to or for an employer, including reimbursements received by or for 3756  
 an individual for medical or education expenses, health insurance 3757  
 premiums, or employee expenses, or on account of a dependent care 3758  
 spending account, legal services plan, any cafeteria plan 3759  
 described in section 125 of the Internal Revenue Code, or any 3760  
 similar employee reimbursement; 3761

(h) Proceeds received from the issuance of the taxpayer's own 3762

|                                                                         |      |
|-------------------------------------------------------------------------|------|
| stock, options, warrants, puts, or calls, or from the sale of the       | 3763 |
| taxpayer's treasury stock;                                              | 3764 |
| (i) Proceeds received on the account of payments from                   | 3765 |
| insurance policies, except those proceeds received for the loss of      | 3766 |
| business revenue;                                                       | 3767 |
| (j) Gifts or charitable contributions received; membership              | 3768 |
| dues received by trade, professional, homeowners', or condominium       | 3769 |
| associations; <del>and</del> payments received for educational courses, | 3770 |
| meetings, meals, or similar payments to a trade, professional, or       | 3771 |
| other similar association; and fundraising receipts received by         | 3772 |
| any person when any excess receipts are donated or used                 | 3773 |
| exclusively for charitable purposes;                                    | 3774 |
| (k) Damages received as the result of litigation in excess of           | 3775 |
| amounts that, if received without litigation, would be gross            | 3776 |
| receipts;                                                               | 3777 |
| (l) Property, money, and other amounts received or acquired             | 3778 |
| by an agent on behalf of another in excess of the agent's               | 3779 |
| commission, fee, or other remuneration;                                 | 3780 |
| (m) Tax refunds, other tax benefit recoveries, and                      | 3781 |
| reimbursements for the tax imposed under this chapter made by           | 3782 |
| entities that are part of the same combined taxpayer or                 | 3783 |
| consolidated elected taxpayer group, and reimbursements made by         | 3784 |
| entities that are not members of a combined taxpayer or                 | 3785 |
| consolidated elected taxpayer group that are required to be made        | 3786 |
| for economic parity among multiple owners of an entity whose tax        | 3787 |
| obligation under this chapter is required to be reported and paid       | 3788 |
| entirely by one owner, pursuant to the requirements of sections         | 3789 |
| 5751.011 and 5751.012 of the Revised Code;                              | 3790 |
| (n) Pension reversions;                                                 | 3791 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| (o) Contributions to capital;                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3792                                                         |
| (p) Sales or use taxes collected as a vendor or an<br>out-of-state seller on behalf of the taxing jurisdiction from a<br>consumer or other taxes the taxpayer is required by law to collect<br>directly from a purchaser and remit to a local, state, or federal<br>tax authority;                                                                                                                                                                                                                  | 3793<br>3794<br>3795<br>3796<br>3797                         |
| (q) In the case of receipts from the sale of cigarettes,<br>tobacco products, or vapor products by a wholesale dealer, retail<br>dealer, distributor, manufacturer, vapor distributor, or seller,<br>all as defined in section 5743.01 of the Revised Code, an amount<br>equal to the federal and state excise taxes paid by any person on<br>or for such cigarettes, tobacco products, or vapor products under<br>subtitle E of the Internal Revenue Code or Chapter 5743. of the<br>Revised Code; | 3798<br>3799<br>3800<br>3801<br>3802<br>3803<br>3804<br>3805 |
| (r) In the case of receipts from the sale, transfer,<br>exchange, or other disposition of motor fuel as "motor fuel" is<br>defined in section 5736.01 of the Revised Code, an amount equal to<br>the value of the motor fuel, including federal and state motor<br>fuel excise taxes and receipts from billing or invoicing the tax<br>imposed under section 5736.02 of the Revised Code to another<br>person;                                                                                      | 3806<br>3807<br>3808<br>3809<br>3810<br>3811<br>3812         |
| (s) In the case of receipts from the sale of beer or<br>intoxicating liquor, as defined in section 4301.01 of the Revised<br>Code, by a person holding a permit issued under Chapter 4301. or<br>4303. of the Revised Code, an amount equal to federal and state<br>excise taxes paid by any person on or for such beer or<br>intoxicating liquor under subtitle E of the Internal Revenue Code<br>or Chapter 4301. or 4305. of the Revised Code;                                                   | 3813<br>3814<br>3815<br>3816<br>3817<br>3818<br>3819         |
| (t) Receipts realized by a new motor vehicle dealer or used<br>motor vehicle dealer, as defined in section 4517.01 of the Revised                                                                                                                                                                                                                                                                                                                                                                   | 3820<br>3821                                                 |

Code, from the sale or other transfer of a motor vehicle, as 3822  
 defined in that section, to another motor vehicle dealer for the 3823  
 purpose of resale by the transferee motor vehicle dealer, but only 3824  
 if the sale or other transfer was based upon the transferee's need 3825  
 to meet a specific customer's preference for a motor vehicle; 3826

(u) Receipts from a financial institution described in 3827  
 division (E)(3) of this section for services provided to the 3828  
 financial institution in connection with the issuance, processing, 3829  
 servicing, and management of loans or credit accounts, if such 3830  
 financial institution and the recipient of such receipts have at 3831  
 least fifty per cent of their ownership interests owned or 3832  
 controlled, directly or constructively through related interests, 3833  
 by common owners; 3834

(v) Receipts realized from administering anti-neoplastic 3835  
 drugs and other cancer chemotherapy, biologicals, therapeutic 3836  
 agents, and supportive drugs in a physician's office to patients 3837  
 with cancer; 3838

(w) Funds received or used by a mortgage broker that is not a 3839  
 dealer in intangibles, other than fees or other consideration, 3840  
 pursuant to a table-funding mortgage loan or warehouse-lending 3841  
 mortgage loan. Terms used in division (F)(2)(w) of this section 3842  
 have the same meanings as in section 1322.01 of the Revised Code, 3843  
 except "mortgage broker" means a person assisting a buyer in 3844  
 obtaining a mortgage loan for a fee or other consideration paid by 3845  
 the buyer or a lender, or a person engaged in table-funding or 3846  
 warehouse-lending mortgage loans that are first lien mortgage 3847  
 loans. 3848

(x) Property, money, and other amounts received by a 3849  
 professional employer organization, as defined in section 4125.01 3850  
 of the Revised Code, or an alternate employer organization, as 3851

defined in section 4133.01 of the Revised Code, from a client 3852  
 employer, as defined in either of those sections as applicable, in 3853  
 excess of the administrative fee charged by the professional 3854  
 employer organization or the alternate employer organization to 3855  
 the client employer; 3856

(y) In the case of amounts retained as commissions by a 3857  
 permit holder under Chapter 3769. of the Revised Code, an amount 3858  
 equal to the amounts specified under that chapter that must be 3859  
 paid to or collected by the tax commissioner as a tax and the 3860  
 amounts specified under that chapter to be used as purse money; 3861

(z) Qualifying distribution center receipts as determined 3862  
 under section 5751.40 of the Revised Code; ~~i~~ 3863

(aa) Receipts of an employer from payroll deductions relating 3864  
 to the reimbursement of the employer for advancing moneys to an 3865  
 unrelated third party on an employee's behalf; 3866

(bb) Cash discounts allowed and taken; 3867

(cc) Returns and allowances; 3868

(dd) Bad debts from receipts on the basis of which the tax 3869  
 imposed by this chapter was paid in a prior quarterly tax payment 3870  
 period. For the purpose of this division, "bad debts" means any 3871  
 debts that have become worthless or uncollectible between the 3872  
 preceding and current quarterly tax payment periods, have been 3873  
 uncollected for at least six months, and that may be claimed as a 3874  
 deduction under section 166 of the Internal Revenue Code and the 3875  
 regulations adopted under that section, or that could be claimed 3876  
 as such if the taxpayer kept its accounts on the accrual basis. 3877  
 "Bad debts" does not include repossessed property, uncollectible 3878  
 amounts on property that remains in the possession of the taxpayer 3879  
 until the full purchase price is paid, or expenses in attempting 3880

|                                                                    |      |
|--------------------------------------------------------------------|------|
| to collect any account receivable or for any portion of the debt   | 3881 |
| recovered+.                                                        | 3882 |
| (ee) Any amount realized from the sale of an account               | 3883 |
| receivable to the extent the receipts from the underlying          | 3884 |
| transaction giving rise to the account receivable were included in | 3885 |
| the gross receipts of the taxpayer;                                | 3886 |
| (ff) Any receipts directly attributed to a transfer agreement      | 3887 |
| or to the enterprise transferred under that agreement under        | 3888 |
| section 4313.02 of the Revised Code+.                              | 3889 |
| (gg) Qualified uranium receipts as determined under section        | 3890 |
| 5751.41 of the Revised Code+.                                      | 3891 |
| (hh) In the case of amounts collected by a licensed casino         | 3892 |
| operator from casino gaming, amounts in excess of the casino       | 3893 |
| operator's gross casino revenue. In this division, "casino         | 3894 |
| operator" and "casino gaming" have the meanings defined in section | 3895 |
| 3772.01 of the Revised Code, and "gross casino revenue" has the    | 3896 |
| meaning defined in section 5753.01 of the Revised Code.            | 3897 |
| (ii) Receipts realized from the sale of agricultural               | 3898 |
| commodities by an agricultural commodity handler, both as defined  | 3899 |
| in section 926.01 of the Revised Code, that is licensed by the     | 3900 |
| director of agriculture to handle agricultural commodities in this | 3901 |
| state+.                                                            | 3902 |
| (jj) Qualifying integrated supply chain receipts as                | 3903 |
| determined under section 5751.42 of the Revised Code+.             | 3904 |
| (kk) In the case of a railroad company described in division       | 3905 |
| (D)(9) of section 5727.01 of the Revised Code that purchases dyed  | 3906 |
| diesel fuel directly from a supplier as defined by section 5736.01 | 3907 |
| of the Revised Code, an amount equal to the product of the number  | 3908 |
| of gallons of dyed diesel fuel purchased directly from such a      | 3909 |

supplier multiplied by the average wholesale price for a gallon of 3910  
 diesel fuel as determined under section 5736.02 of the Revised 3911  
 Code for the period during which the fuel was purchased multiplied 3912  
 by a fraction, the numerator of which equals the rate of tax 3913  
 levied by section 5736.02 of the Revised Code less the rate of tax 3914  
 computed in section 5751.03 of the Revised Code, and the 3915  
 denominator of which equals the rate of tax computed in section 3916  
 5751.03 of the Revised Code-; 3917

(ll) Receipts realized by an out-of-state disaster business 3918  
 from disaster work conducted in this state during a disaster 3919  
 response period pursuant to a qualifying solicitation received by 3920  
 the business. Terms used in division (F)(2)(ll) of this section 3921  
 have the same meanings as in section 5703.94 of the Revised Code. 3922

(mm) In the case of receipts from the sale or transfer of a 3923  
 mortgage-backed security or a mortgage loan by a mortgage lender 3924  
 holding a valid certificate of registration issued under Chapter 3925  
 1322. of the Revised Code or by a person that is a member of the 3926  
 mortgage lender's consolidated elected taxpayer group, an amount 3927  
 equal to the principal balance of the mortgage loan-; 3928

(nn) Amounts of excess surplus of the state insurance fund 3929  
 received by the taxpayer from the Ohio bureau of workers' 3930  
 compensation pursuant to rules adopted under section 4123.321 of 3931  
 the Revised Code-; 3932

(oo) Except as otherwise provided in division (B) of section 3933  
 5751.091 of the Revised Code, receipts of a megaproject supplier 3934  
 from sales of tangible personal property directly to a megaproject 3935  
 operator in this state for use at the site of the megaproject 3936  
 operator's megaproject, provided that the sale occurs during the 3937  
 period that the megaproject operator has an agreement with the tax 3938  
 credit authority for the megaproject under division (D) of section 3939

122.17 of the Revised Code that remains in effect and has not  
 expired or been terminated, and provided the megaproject supplier  
 holds a certificate for such megaproject issued under section  
 5751.052 of the Revised Code for the calendar year in which the  
 sales are made and, if the megaproject supplier meets the  
 requirements described in division (A)(13)(b) of section 122.17 of  
 the Revised Code, the megaproject supplier holds a certificate for  
 such megaproject issued under division (D)(11) of section 122.17  
 of the Revised Code on the first day of that calendar year;

(pp) Receipts from the sale of each new piece of capital  
 equipment that has a cost in excess of one hundred million dollars  
 and that is used at the site of a megaproject that satisfies the  
 criteria described in division (A)(11)(a)(ii) of section 122.17 of  
 the Revised Code, provided that the sale occurs during the period  
 that a megaproject operator has an agreement for that megaproject  
 with the tax credit authority under division (D) of section 122.17  
 of the Revised Code that remains in effect and has not expired or  
 been terminated;

(qq) In the case of amounts collected by a sports gaming  
 proprietor from sports gaming, amounts in excess of the  
 proprietor's sports gaming receipts. As used in this division,  
 "sports gaming proprietor" has the same meaning as in section  
 3775.01 of the Revised Code and "sports gaming receipts" has the  
 same meaning as in section 5753.01 of the Revised Code.

(rr) Any receipts for which the tax imposed by this chapter  
 is prohibited by the constitution or laws of the United States or  
 the constitution of this state;

(ss) Receipts from fees imposed under sections 128.41 and  
 128.42 of the Revised Code.

(3) In the case of a taxpayer when acting as a real estate



broker, "gross receipts" includes only the portion of any fee for 3970  
the service of a real estate broker, or service of a real estate 3971  
salesperson associated with that broker, that is retained by the 3972  
broker and not paid to an associated real estate salesperson or 3973  
another real estate broker. For the purposes of this division, 3974  
"real estate broker" and "real estate salesperson" have the same 3975  
meanings as in section 4735.01 of the Revised Code. 3976

(4) A taxpayer's method of accounting for gross receipts for 3977  
a tax period shall be the same as the taxpayer's method of 3978  
accounting for federal income tax purposes for the taxpayer's 3979  
federal taxable year that includes the tax period. If a taxpayer's 3980  
method of accounting for federal income tax purposes changes, its 3981  
method of accounting for gross receipts under this chapter shall 3982  
be changed accordingly. 3983

(G) "Taxable gross receipts" means gross receipts situated to 3984  
this state under section 5751.033 of the Revised Code. 3985

(H) A person has "substantial nexus with this state" if any 3986  
of the following applies. The person: 3987

(1) Owns or uses a part or all of its capital in this state; 3988

(2) Holds a certificate of compliance with the laws of this 3989  
state authorizing the person to do business in this state; 3990

(3) Has bright-line presence in this state; 3991

(4) Otherwise has nexus with this state to an extent that the 3992  
person can be required to remit the tax imposed under this chapter 3993  
under the Constitution of the United States. 3994

(I) A person has "bright-line presence" in this state for a 3995  
reporting period and for the remaining portion of the calendar 3996  
year if any of the following applies. The person: 3997

(1) Has at any time during the calendar year property in this state with an aggregate value of at least fifty thousand dollars. For the purpose of division (I)(1) of this section, owned property is valued at original cost and rented property is valued at eight times the net annual rental charge.

(2) Has during the calendar year payroll in this state of at least fifty thousand dollars. Payroll in this state includes all of the following:

(a) Any amount subject to withholding by the person under section 5747.06 of the Revised Code;

(b) Any other amount the person pays as compensation to an individual under the supervision or control of the person for work done in this state; and

(c) Any amount the person pays for services performed in this state on its behalf by another.

(3) Has during the calendar year taxable gross receipts of at least five hundred thousand dollars-;i

(4) Has at any time during the calendar year within this state at least twenty-five per cent of the person's total property, total payroll, or total gross receipts-;i

(5) Is domiciled in this state as an individual or for corporate, commercial, or other business purposes.

(J) "Tangible personal property" has the same meaning as in section 5739.01 of the Revised Code.

(K) "Internal Revenue Code" means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in this chapter that is not otherwise defined has the same meaning as when used in a comparable context in the laws of the United States

relating to federal income taxes unless a different meaning is 4026  
clearly required. Any reference in this chapter to the Internal 4027  
Revenue Code includes other laws of the United States relating to 4028  
federal income taxes. 4029

(L) "Calendar quarter" means a three-month period ending on 4030  
the thirty-first day of March, the thirtieth day of June, the 4031  
thirtieth day of September, or the thirty-first day of December. 4032

(M) "Tax period" means the calendar quarter or calendar year 4033  
on the basis of which a taxpayer is required to pay the tax 4034  
imposed under this chapter. 4035

(N) "Calendar year taxpayer" means a taxpayer for which the 4036  
tax period is a calendar year. 4037

(O) "Calendar quarter taxpayer" means a taxpayer for which 4038  
the tax period is a calendar quarter. 4039

(P) "Agent" means a person authorized by another person to 4040  
act on its behalf to undertake a transaction for the other, 4041  
including any of the following: 4042

(1) A person receiving a fee to sell financial instruments; 4043

(2) A person retaining only a commission from a transaction 4044  
with the other proceeds from the transaction being remitted to 4045  
another person; 4046

(3) A person issuing licenses and permits under section 4047  
1533.13 of the Revised Code; 4048

(4) A lottery sales agent holding a valid license issued 4049  
under section 3770.05 of the Revised Code; 4050

(5) A person acting as an agent of the division of liquor 4051  
control under section 4301.17 of the Revised Code. 4052

(Q) "Received" includes amounts accrued under the accrual 4053

method of accounting. 4054

(R) "Reporting person" means a person in a consolidated 4055  
 elected taxpayer or combined taxpayer group that is designated by 4056  
 that group to legally bind the group for all filings and tax 4057  
 liabilities and to receive all legal notices with respect to 4058  
 matters under this chapter, or, for the purposes of section 4059  
 5751.04 of the Revised Code, a separate taxpayer that is not a 4060  
 member of such a group. 4061

(S) "Megaproject," "megaproject operator," and "megaproject 4062  
 supplier" have the same meanings as in section 122.17 of the 4063  
 Revised Code. 4064

**Section 130.61.** That existing sections 128.01, 128.02, 4065  
 128.021, 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 4066  
 128.22, 128.25, 128.26, 128.27, 128.32, 128.34, 128.40, 128.42, 4067  
 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 4068  
 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 4776.20, 5703.052, 4069  
 5733.55, and 5751.01 of the Revised Code are hereby repealed. 4070

**Section 130.62.** That sections 128.04, 128.09, 128.15, 4071  
 128.571, 4742.01, 4742.02, 4742.03, 4742.04, 4742.05, 4742.06, and 4072  
 4742.07 of the Revised Code are hereby repealed. 4073

**Section 130.63.** Not later than February 1, 2025, the Auditor 4074  
 of State shall conduct an audit and issue a report to the General 4075  
 Assembly regarding the collection of the next generation 9-1-1 4076  
 access fees under section 128.41 of the Revised Code. The audit 4077  
 shall determine whether the obligations of the 9-1-1 Government 4078  
 Assistance Fund and the Next Generation 9-1-1 Fund can be met with 4079  
 a lower monthly next generation 9-1-1 access fee or if the monthly 4080  
 fee should be increased or remain unchanged. 4081

**Section 130.65.** Section 149.43 of the Revised Code is 4082  
 presented in this act as a composite of the section as amended by 4083  
 H.B. 45, H.B. 99, H.B. 254, H.B. 343, H.B. 558, and S.B. 288, all 4084  
 of the 134th General Assembly. The General Assembly, applying the 4085  
 principle stated in division (B) of section 1.52 of the Revised 4086  
 Code that amendments are to be harmonized and reconciled if 4087  
 reasonably capable of simultaneous operation, finds that the 4088  
 composite is the resulting version of the section in effect prior 4089  
 to the effective date of the section as presented in this act." 4090

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**9-1-1 Steering Committee and definition changes** 4091

**R.C. 128.01 and 128.02** 4092

Makes a number of changes to existing definitions governing 4093  
 emergency services communications. 4094

Renames the "Emergency Services Internet Protocol Network 4095  
 Steering Committee" to the "9-1-1 Steering Committee" (Steering 4096  
 Committee) and does the following: 4097

--Requires the Steering Committee to advise and recommend 4098  
 policies or procedures to effectively govern a statewide next 4099  
 generation 9-1-1 (NG 9-1-1) system. 4100

--Requires each entity operating a public safety answering 4101  
 point (PSAP) to cooperate with the Steering Committee and provide 4102  
 them with certain data. 4103

--Makes other changes regarding Steering Committee and 4104

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| subcommittee operations.                                           | 4105 |
| <b>Rules and guidelines</b>                                        | 4106 |
| <b>R.C. 128.021 and 128.022</b>                                    | 4107 |
| Requires all PSAPs that answer 9-1-1 calls for service to be       | 4108 |
| subject to the PSAP operation rules, with a two-year compliance    | 4109 |
| window for PSAPs not originally subject to the rules to become     | 4110 |
| compliant.                                                         | 4111 |
| Requires the Steering Committee to establish guidelines for        | 4112 |
| the Tax Commissioner regarding disbursing and using funds from the | 4113 |
| 9-1-1 Government Assistance Fund and the NG 9-1-1 fund.            | 4114 |
| Requires the Steering Committee to periodically review and         | 4115 |
| adjust the guidelines, and to report the changes to the Department | 4116 |
| of Taxation six months before they take effect.                    | 4117 |
| <b>Countywide 9-1-1 system</b>                                     | 4118 |
| <b>R.C. 128.02, 128.03, and 128.05</b>                             | 4119 |
| Requires a countywide 9-1-1 system to include all of the           | 4120 |
| territory of the townships and municipal corporations, including   | 4121 |
| portions that extend into an adjacent county.                      | 4122 |
| Allows a countywide 9-1-1 system to be either an enhanced or       | 4123 |
| NG 9-1-1 system, or some combination of the two, and must be       | 4124 |
| designed to provide access to emergency services from all          | 4125 |
| connected communications sources.                                  | 4126 |
| Allows for a countywide 9-1-1 system to be provided directly       | 4127 |
| by the county, by a regional council of governments (RCOG), or by  | 4128 |
| connecting directly to the statewide NG 9-1-1 system for call      | 4129 |
| routing and core services.                                         | 4130 |
| Requires each county to appoint a county 9-1-1 coordinator to      | 4131 |
| serve as the administrative coordinator for all PSAPs              | 4132 |

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| participating in a countywide 9-1-1 system final plan, and to      | 4133 |
| serve as liaison with other county coordinators and the 9-1-1      | 4134 |
| Program Office.                                                    | 4135 |
| Requires the entity operating a PSAP to provide the Steering       | 4136 |
| Committee the geographic location and population of the area for   | 4137 |
| which the entity is responsible.                                   | 4138 |
| <b>County 9-1-1 Program Review Committee</b>                       | 4139 |
| <b>R.C. 128.06</b>                                                 | 4140 |
| Requires each county to maintain a county 9-1-1 Program            | 4141 |
| Review Committee consisting of six voting members.                 | 4142 |
| Changes the provisions governing who may be members of the         | 4143 |
| Review Committee.                                                  | 4144 |
| Requires the Review Committee to consist of five members in        | 4145 |
| counties with fewer than five townships, containing more than one  | 4146 |
| PSAP, and a population in excess of 750,000.                       | 4147 |
| Requires the Review Committee to consist of three members in       | 4148 |
| counties that contain only one PSAP, or if the PSAP is operated by | 4149 |
| the board of county commissioners, then the board will serve as    | 4150 |
| the Committee.                                                     | 4151 |
| Requires each Review Committee to maintain and amend a final       | 4152 |
| plan for implementing and operating a countywide 9-1-1 system.     | 4153 |
| Requires each Review Committee to convene at least once            | 4154 |
| annually for the purposes of maintaining or amending a final plan  | 4155 |
| and requires any amendment to the final plan to receive a          | 4156 |
| two-thirds vote of the Committee.                                  | 4157 |
| Requires, not later than first day of March each year, each        | 4158 |
| Review Committee to submit a report to the political subdivisions  | 4159 |
| within the county and to the 9-1-1 Program Office detailing the    | 4160 |

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| sources and amounts of revenue expended to support, and all costs  | 4161 |
| incurred to operate, the countywide 9-1-1 system.                  | 4162 |
| <b>Countywide final plan</b>                                       | 4163 |
| <b>R.C. 128.07 and 128.12</b>                                      | 4164 |
| Makes various changes regarding countywide final plan,             | 4165 |
| including changing the final plan requirements to:                 | 4166 |
| --Specify how the PSAPs will be connected to a county's            | 4167 |
| preferred NG 9-1-1 system;                                         | 4168 |
| --Require either enhanced 9-1-1 or NG 9-1-1 service,               | 4169 |
| repealing the ability to allow basic 9-1-1 service to be provided. | 4170 |
| --Detail how originating service providers must connect to         | 4171 |
| the core 9-1-1 system identified by the final plan, and what       | 4172 |
| methods will be used by the providers to communicate with the      | 4173 |
| system;                                                            | 4174 |
| --Describe the capability of transferring or otherwise             | 4175 |
| relaying information to the entity that directly dispatches        | 4176 |
| emergency services should a PSAP not directly dispatch needed      | 4177 |
| services;                                                          | 4178 |
| --Explains how each emergency service provider (ESP) will          | 4179 |
| respond to a misdirected call or a false caller location, or if    | 4180 |
| the call fails to meet FCC or other accepted national standards.   | 4181 |
| Requires, not later than six months after the bill's               | 4182 |
| effective date, each county Review Committee to file a copy of its | 4183 |
| current final plan with the 9-1-1 Program Office and requires any  | 4184 |
| revisions or amendments to be filed no later than 90 days after    | 4185 |
| adoption.                                                          | 4186 |
| Requires an amended final plan whenever there is an upgrade        | 4187 |
| to the countywide 9-1-1 system, and whenever there is a change or  | 4188 |



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| removal of a 9-1-1 system service provider as a participant in the | 4189 |
| countywide 9-1-1 system.                                           | 4190 |
| Repeals the requirement that an entity wishing to be added as      | 4191 |
| a participant in a 9-1-1 system to file a letter of intent to the  | 4192 |
| board of county commissioners.                                     | 4193 |
| <b>NG 9-1-1 core services system</b>                               | 4194 |
| <b>R.C. 128.20 and 128.21</b>                                      | 4195 |
| Requires the 9-1-1 Program Office to coordinate and manage a       | 4196 |
| statewide NG 9-1-1 core services system, which must be capable of  | 4197 |
| providing the following services:                                  | 4198 |
| --Providing 9-1-1 core services for all Ohio counties, over        | 4199 |
| land and water;                                                    | 4200 |
| --Routing all 9-1-1 traffic using location and policy-based        | 4201 |
| routing to legacy enhanced 9-1-1, NG 9-1-1, and local NG 9-1-1     | 4202 |
| PSAPs;                                                             | 4203 |
| --Providing access to emergency services from all connected        | 4204 |
| communications sources and provide multimedia data capabilities    | 4205 |
| for PSAPs and other emergency service organizations.               | 4206 |
| Repeals the requirement that the 9-1-1 Program Office              | 4207 |
| Administrator report directly to the State Chief Information       | 4208 |
| Officer.                                                           | 4209 |
| Requires the Statewide Emergency Services Internet Protocol        | 4210 |
| Network (ESINET) that supports the statewide NG 9-1-1 core         | 4211 |
| services system to be capable of being shared by all public safety | 4212 |
| agencies.                                                          | 4213 |
| Permits the ESINET to be constructed from a mix of dedicated       | 4214 |
| and shared facilities and may be interconnected with a local,      | 4215 |
| regional, state, federal, or international system to form an       | 4216 |

|                                                                    |      |
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| internet-protocol-based internetwork, or network of networks.      | 4217 |
| <b>Ohio 9-1-1 plan</b>                                             | 4218 |
| <b>R.C. 128.211</b>                                                | 4219 |
| Requires, not later than six months after the bill's               | 4220 |
| effective date, the 9-1-1 Program Office to draft, submit, or      | 4221 |
| update an Ohio 9-1-1 plan to the Steering Committee, which must    | 4222 |
| include the following:                                             | 4223 |
| --A plan to address amendments made by the bill;                   | 4224 |
| --Specify details regarding interoperability among counties,       | 4225 |
| the states bordering Ohio, and Canada;                             | 4226 |
| --A progression plan for the system for sustainability within      | 4227 |
| the funding method provided by the bill.                           | 4228 |
| Requires the Steering Committee to review and permits it to        | 4229 |
| make a determination on approval of the plan within six months     | 4230 |
| after it was submitted.                                            | 4231 |
| <b>Letter of coordination</b>                                      | 4232 |
| <b>R.C. 128.212</b>                                                | 4233 |
| Requires any Ohio entity operating a 9-1-1 system, ESINET, or      | 4234 |
| PSAP that seeks a state or federal 9-1-1 grant to present a letter | 4235 |
| of coordination, containing certain information required by the    | 4236 |
| bill, from the 9-1-1 Program Office.                               | 4237 |
| Requires a letter of coordination to state all of the              | 4238 |
| following:                                                         | 4239 |
| --Who the submitting entity is;                                    | 4240 |
| --The specific grantor identification;                             | 4241 |
| --The amount of the grant;                                         | 4242 |
| --The intended use of the grant;                                   | 4243 |

|                                                                                                                                                                                                                                             |      |
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| --The system, equipment, software, or any component to be procured with the grant;                                                                                                                                                          | 4244 |
|                                                                                                                                                                                                                                             | 4245 |
| --The system, equipment, software, or component and the purpose of the grant does not inhibit, conflict, or reduce interoperability with the statewide NG 9-1-1 core services system and ESINET and is consistent with the Ohio 9-1-1 plan. | 4246 |
|                                                                                                                                                                                                                                             | 4247 |
|                                                                                                                                                                                                                                             | 4248 |
|                                                                                                                                                                                                                                             | 4249 |
| <b>State 9-1-1 Program Office powers</b>                                                                                                                                                                                                    | 4250 |
| <b>R.C. 128.22</b>                                                                                                                                                                                                                          | 4251 |
| Allows the 9-1-1 Program Office to do the following:                                                                                                                                                                                        | 4252 |
| --Expend funds from the 9-1-1 Program Fund for 9-1-1 public education purposes;                                                                                                                                                             | 4253 |
|                                                                                                                                                                                                                                             | 4254 |
| --Ensure an effective statewide interconnected 9-1-1 system model through coordination, adoption, and communication of all necessary technical and operational standards and requirements;                                                  | 4255 |
|                                                                                                                                                                                                                                             | 4256 |
|                                                                                                                                                                                                                                             | 4257 |
| --Collect and distribute data from, and to, PSAPs, service providers, and ESPs regarding both the status and operation of the statewide 9-1-1 system, and certain location information;                                                     | 4258 |
|                                                                                                                                                                                                                                             | 4259 |
|                                                                                                                                                                                                                                             | 4260 |
| --Ensure that data collection and distribution meets legal privacy and confidentiality requirements;                                                                                                                                        | 4261 |
|                                                                                                                                                                                                                                             | 4262 |
| --With advice from the 9-1-1 Steering Committee, enter into interlocal, interstate, intrastate, and federal contracts to implement statewide 9-1-1 services.                                                                                | 4263 |
|                                                                                                                                                                                                                                             | 4264 |
|                                                                                                                                                                                                                                             | 4265 |
| <b>Data protection</b>                                                                                                                                                                                                                      | 4266 |
| <b>R.C. 128.221</b>                                                                                                                                                                                                                         | 4267 |
| Protects all statewide 9-1-1 system data in accordance with relevant Ohio law and grants the Steering Committee jurisdiction over the use of that data for purposes of 9-1-1.                                                               | 4268 |
|                                                                                                                                                                                                                                             | 4269 |
|                                                                                                                                                                                                                                             | 4270 |

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| Allows for data and information that contributes to more effective 9-1-1 services and emergency response to be accessed and shared among 9-1-1 and emergency response functions.                                                             | 4271<br>4272<br>4273         |
| <b>Telecommunication service providers</b>                                                                                                                                                                                                   | 4274                         |
| <b>R.C. 128.23</b>                                                                                                                                                                                                                           | 4275                         |
| Requires every telecommunication service provider able to generate 9-1-1 traffic to do the following:                                                                                                                                        | 4276<br>4277                 |
| --Register with the 9-1-1 Program Office and provide the Program Office a single point of contact who has authority to assist in location-data discrepancies;                                                                                | 4278<br>4279<br>4280         |
| --Provide accurate and valid location data for all 9-1-1 traffic to ensure proper routing to the most appropriate PSAP or local NG 9-1-1 system.                                                                                             | 4281<br>4282<br>4283         |
| Requires service providers to correct any discrepancy in location data within 72 hours if notified by the Program Office.                                                                                                                    | 4284<br>4285                 |
| Subjects all the data described above to all applicable privacy laws and exempts it from being a public record under Ohio's public record law.                                                                                               | 4286<br>4287<br>4288         |
| <b>Multiline telephone systems</b>                                                                                                                                                                                                           | 4289                         |
| <b>R.C. 128.24</b>                                                                                                                                                                                                                           | 4290                         |
| Requires each operator of a multiline telephone system (MTS) that was installed or substantially renovated on or after the bill's effective date to do the following:                                                                        | 4291<br>4292<br>4293         |
| --Provide the end user the same level of 9-1-1 service that is provided to other intrastate end users of 9-1-1, which includes legacy automatic number identification and automatic location identification (ALI) or NG 9-1-1 location data; | 4294<br>4295<br>4296<br>4297 |

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| --Provide an emergency-response-location identifier as part        | 4298 |
| of the location transmission to the PSAP using legacy              | 4299 |
| private-switch ALI or NG 9-1-1 methodologies;                      | 4300 |
| --Identify the caller's specific location using an emergency       | 4301 |
| response location that includes the public street address of the   | 4302 |
| building from which the call originated and other specific         | 4303 |
| location data.                                                     | 4304 |
| --Provide locations that are either                                | 4305 |
| master-street-address-guide valid or NG                            | 4306 |
| 9-1-1-location-validation-function valid.                          | 4307 |
| Exempts from the above requirements MTS in a workspace of          | 4308 |
| less than 7,000 square feet in a single building, on a single      | 4309 |
| level of a structure, and having a single public street address.   | 4310 |
| <b>Business service user</b>                                       | 4311 |
| <b>R.C. 128.241 and 128.242</b>                                    | 4312 |
| Requires, not later than one year after the bill's effective       | 4313 |
| date, a business service user (BSU) that provides residential or   | 4314 |
| business facilities, owns or controls a MTS or voice over internet | 4315 |
| protocol (VOIP) system in those facilities, and provides outbound  | 4316 |
| dialing capacity from those facilities, to ensure the following:   | 4317 |
| --For a MTS that can initiate a 9-1-1 call, the system is          | 4318 |
| connected so a caller using 9-1-1 is connected to the PSAP without | 4319 |
| requiring the user to dial any additional digit or code;           | 4320 |
| --The system is configured to provide notification of any          | 4321 |
| 9-1-1 call made through it to a centralized location on the same   | 4322 |
| site as the system without the necessity of having a person        | 4323 |
| available at the location to receive a notification.               | 4324 |
| Exempts, for two years after the bill's effective date, a BSU      | 4325 |

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| from the requirements described above if all of the following      | 4326 |
| apply:                                                             | 4327 |
| --The requirements would be unduly and unreasonably                | 4328 |
| burdensome;                                                        | 4329 |
| --The MTS or VOIP needs to be reprogrammed or replaced;            | 4330 |
| --The BSU made a good-faith attempt to reprogram or replace        | 4331 |
| the system;                                                        | 4332 |
| --The BSU agrees to place an instructional sticker next to         | 4333 |
| the telephones that explain how to access 9-1-1 and other          | 4334 |
| information.                                                       | 4335 |
| --Requires the BSU to submit an affidavit affirming that the       | 4336 |
| conditions above apply and must include in the affidavit the       | 4337 |
| manufacturer and model number of the system.                       | 4338 |
| <b>Preemption</b>                                                  | 4339 |
| <b>R.C. 128.243</b>                                                | 4340 |
| Specifies that the provisions described above ("Multiline          | 4341 |
| telephone systems" and "Business service user") do not to apply if | 4342 |
| they are preempted by, or in conflict with, federal law.           | 4343 |
| <b>Other requirements for 9-1-1 operation</b>                      | 4344 |
| <b>R.C. 128.25 to 128.28</b>                                       | 4345 |
| Requires the following regarding participation in statewide        | 4346 |
| 9-1-1:                                                             | 4347 |
| --Counties must provide a single point of contact to the           | 4348 |
| 9-1-1 Program Office that can assist in location-data              | 4349 |
| discrepancies, 9-1-1 traffic misroutes, and boundary disputes      | 4350 |
| between PSAPs;                                                     | 4351 |
| --Counties or RCOGs (if applicable), not later than five           | 4352 |

years after the statewide NG 9-1-1 Core Services System is 4353  
 operationally available to all counties, provide NG 9-1-1 service 4354  
 for all areas to be covered as set forth in the county's final 4355  
 plan or the RCOG's agreement; 4356

--A service provider operating within a county, or an area 4357  
 served by a RCOG, that is participating in the statewide NG 9-1-1 4358  
 Core Services System, to deliver the 9-1-1 traffic that originates 4359  
 in that geographic area to the NG 9-1-1 core for that area; 4360

--Service providers and counties participating in the 4361  
 statewide NG 9-1-1 core services system to adhere to the standards 4362  
 of the 9-1-1 Program Office, including standards created by the 4363  
 National Emergency Number Association and the Internet Engineering 4364  
 Task Force. 4365

**Changes re: monthly charges** 4366

**\*Wireless 9-1-1 charges** 4367

**R.C. 128.42 (renumbered 128.40), 128.462, 128.47, and 128.52** 4368

Terminates, January 1, 2024, the wireless 9-1-1 charges 4369  
 imposed on both wireless service subscribers and customers, 4370  
 purchasing by retail sale, of prepaid wireless calling services. 4371

Exempts wireless lifeline service providers and subscribers 4372  
 from these charges prior to their termination. 4373

**\*NG 9-1-1 access fee** 4374

**R.C. 128.41 to 128.419; Section 130.63** 4375

Replaces the wireless 9-1-1 charge (described above) with a 4376  
 NG 9-1-1 access fee of \$0.40 per month for certain communications 4377  
 services in the state as follows: 4378

--For wireless service, the fee is imposed for each wireless 4379  
 telephone number of a wireless service subscriber per month; 4380

--For VOIP, the fee is imposed separately for each voice channel provided to the subscriber, not to exceed 100 separate voice channel fees per network. (The number of voice channels equals the number of outbound calls the subscriber can maintain at the same time using the system, but excludes a direct inward dialing number that routes an inbound call.);

--For MTS, the fee is imposed separately per line, with a maximum of 100 separate fees per building for a single subscriber.

Provides that for communications services that share the same telephone number, the fee cannot exceed \$0.40 per month.

Lowers the monthly NG 9-1-1 access fee for communications service to \$0.25 cents beginning October 1, 2025.

Exempts the following from the NG 9-1-1 access fee:

--A subscriber of wireless lifeline service;

--Wholesale transactions between telecommunications service providers where the service is a component of a service provided to an end user, including network access and interconnection charges paid to a local exchange carrier.

Specifies that a wireless service that is priced lower than \$5 per month is not subject to the NG 9-1-1 access fee.

Requires service providers and resellers to collect the NG 9-1-1 access fee as a separate designated specific line item on each subscriber's monthly bill or point of sale invoice.

Requires, not later than February 1, 2025, the Auditor of State to conduct an audit regarding the collection of the next generation 9-1-1 access fees and to determine whether the monthly next generation 9-1-1 access fee should be decreased, increased, or remain unchanged.



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| Requires the Auditor to deliver a report to the General           | 4409 |
| Assembly detailing legislative recommendations concerning the NG  | 4410 |
| 9-1-1 access fee.                                                 | 4411 |
| <b>*NG 9-1-1 access fee for prepaid wireless services</b>         | 4412 |
| <b>R.C. 128.42, 128.421, 128.422, and 128.43</b>                  | 4413 |
| Imposes, after the expiration of the wireless 9-1-1 charge, a     | 4414 |
| separate NG 9-1-1 access fee of .005% of the sale price of a      | 4415 |
| prepaid wireless calling service for retail sales that occur in   | 4416 |
| Ohio.                                                             | 4417 |
| A prepaid wireless calling service priced below a \$10 single     | 4418 |
| fee is not a retail sale subject to the NG 9-1-1 access fee.      | 4419 |
| Requires the seller of the prepaid calling service to collect     | 4420 |
| the NG 9-1-1 access fee from the customer and disclose the amount | 4421 |
| of the fee at the time of the retail sale in the same manner as   | 4422 |
| the NG 9-1-1 access fee described above.                          | 4423 |
| Provides that the NG 9-1-1 access fee generally applies to        | 4424 |
| the entire nonitemized price when a prepaid calling service is    | 4425 |
| sold alongside other products or services for a single,           | 4426 |
| nonitemized price.                                                | 4427 |
| Exempts the NG 9-1-1 access fee from state and local              | 4428 |
| taxation.                                                         | 4429 |
| <b>Administration of charges or fees</b>                          | 4430 |
| <b>R.C. 128.44, 128.45, and 128.45 (renumbered 128.451)</b>       | 4431 |
| Directs the Tax Commissioner to provide notice of increases       | 4432 |
| or decreases in the NG 9-1-1 access fees to all known wireless    | 4433 |
| service providers, resellers, and sellers of prepaid wireless     | 4434 |
| calling services.                                                 | 4435 |
| Instructs each entity required to collect the wireless 9-1-1      | 4436 |

|                                                                   |      |
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| charge or NG 9-1-1 access fee to keep complete and accurate       | 4437 |
| records relating to sales with respect to the charges and fees.   | 4438 |
| Requires all records kept by entities regarding wireless          | 4439 |
| 9-1-1 charges and NG 9-1-1 access fees be open to inspection by   | 4440 |
| the Tax Commissioner during business hours and generally retained | 4441 |
| for four years.                                                   | 4442 |
| <b>Collection of charges or fees</b>                              | 4443 |
| <b>R.C. 128.46 and 128.461</b>                                    | 4444 |
| Provides that NG 9-1-1 access fees are subject to the same        | 4445 |
| collection processes and are subject to the same procedures as    | 4446 |
| wireless 9-1-1 charges under current law.                         | 4447 |
| Removes the option of filing the required return using the        | 4448 |
| Ohio Telefile system for the wireless 9-1-1 charges or NG 9-1-1   | 4449 |
| access fee.                                                       | 4450 |
| Changes the name of the loose-leaf book that an appropriate       | 4451 |
| court of common pleas clerk may enter judgement in following a    | 4452 |
| final assessment against an entity regarding 9-1-1 charges and    | 4453 |
| fees.                                                             | 4454 |
| <b>9-1-1 funds and distribution of wireless 9-1-1 charges</b>     | 4455 |
| <b>R.C. 128.54 and 128.99</b>                                     | 4456 |
| Removes "wireless" from the names of three of the four funds      | 4457 |
| established to receive the wireless 9-1-1 charges and NG 9-1-1    | 4458 |
| access fees to be the 9-1-1 Government Assistance Fund, 9-1-1     | 4459 |
| Administrative Fund, and the 9-1-1 Program Fund.                  | 4460 |
| Changes deposits into the 9-1-1 Government Assistance Fund to     | 4461 |
| be 72% of the 9-1-1 charges and fees instead of the current 97%.  | 4462 |
| Changes deposits into the NG 9-1-1 Fund to be (1) 25% of the      | 4463 |
| 9-1-1 charges and fees, (2) interest earned on the NG 9-1-1 Fund, | 4464 |

(3) any excess remaining in the 9-1-1 Government Assistance Fund 4465  
 and transferred by the Tax Commissioner at the direction of the 4466  
 Steering Committee, (4) any excess in the 9-1-1 Administrative 4467  
 Fund transferred by the Tax Commissioner, and (5) any fines 4468  
 recovered from a business service user regarding MTS system 4469  
 violations. 4470

Allows the Department of Administrative Services to move 4471  
 funds between the NG 9-1-1 fund and the 9-1-1 Government 4472  
 Assistance fund to ensure funding remains sustainable for both. 4473

**Disbursements from the 9-1-1 funds** 4474

**R.C. 128.55** 4475

Specifies that disbursements from the 9-1-1 Government 4476  
 Assistance Fund to each county treasurer must be made not later 4477  
 than the tenth day of the month succeeding the month in which the 4478  
 9-1-1 charges and fees are remitted. 4479

Requires the Department of Administrative Services to 4480  
 administer the NG 9-1-1 Fund, which fund must be used exclusively 4481  
 to pay costs of installing, maintaining, and operating the call 4482  
 routing and core services statewide NG 9-1-1 system. 4483

**Allowable uses of disbursements** 4484

**R.C. 128.57** 4485

Extends existing allowable costs of designing, upgrading, 4486  
 purchasing, leasing, programming, installing, testing, or 4487  
 maintaining the necessary data, hardware, software, and trunking 4488  
 required for PSAPs of the 9-1-1 system to the allowable costs for 4489  
 the provision of NG 9-1-1. 4490

Adds, as allowable costs, the costs for processing 9-1-1 4491  
 emergency calls from point of origin to include expenses for (1) 4492

|                                                                    |      |
|--------------------------------------------------------------------|------|
| interoperable bidirectional computer aided dispatch data transfers | 4493 |
| with other PSAPs or emergency services organizations and (2)       | 4494 |
| transferring and receiving law enforcement, fire, and emergency    | 4495 |
| medical service data via wireless or internet connections from     | 4496 |
| PSAPs or emergency services organizations.                         | 4497 |
| Requires all funds from the NG 9-1-1 access fee to be used         | 4498 |
| only for 9-1-1 related expenses.                                   | 4499 |
| Specifies that costs to be paid by a county using a                | 4500 |
| disbursement from the 9-1-1 Government Assistance Fund related to  | 4501 |
| processing 9-1-1 emergency calls are exclusive of any mobile radio | 4502 |
| service costs.                                                     | 4503 |
| <b>Tax Refund Fund</b>                                             | 4504 |
| <b>R.C. 5703.052</b>                                               | 4505 |
| Includes NG 9-1-1 access fees among the fees and charges that      | 4506 |
| may be refunded from the state's Tax Refund Fund if illegally or   | 4507 |
| erroneously assessed, collected, or overpaid.                      | 4508 |
| <b>Commercial Activity Tax</b>                                     | 4509 |
| <b>R.C. 5751.01</b>                                                | 4510 |
| Specifies that receipts from NG 9-1-1 access fees imposed          | 4511 |
| under the 9-1-1 provisions are not included as "gross receipts"    | 4512 |
| under the commercial activity tax law.                             | 4513 |
| <b>Civil liability</b>                                             | 4514 |
| <b>R.C. 128.32 (renumbered 128.96)</b>                             | 4515 |
| Extends protection from civil liability, with some                 | 4516 |
| exceptions, to 9-1-1 system service providers and their officers,  | 4517 |
| directors, employees, agents, and suppliers for damages resulting  | 4518 |
| from their 9-1-1 system duties or acts, or compliance with         | 4519 |
| emergency-related information requests from state or local         | 4520 |

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| government officials.                                                | 4521 |
| <b>MTS penalties</b>                                                 | 4522 |
| <b>R.C. 128.99</b>                                                   | 4523 |
| Imposes penalties ranging from \$1,000 to \$5,000 for a              | 4524 |
| violation of, or a failure to meet, certain requirements regarding   | 4525 |
| an MTS unless preempted or in conflict with federal law.             | 4526 |
| <b>Other provisions of law repealed</b>                              | 4527 |
| <b>R.C. 128.04, 128.06, 128.09, 128.15, 128.57, 128.571, 128.63,</b> | 4528 |
| <b>4742.01 to 4742.07</b>                                            | 4529 |
| Repeals provisions of law, including the provisions that:            | 4530 |
| --Require each county to have a 9-1-1 technical advisory             | 4531 |
| committee;                                                           | 4532 |
| --Allow a municipal corporation or township that contains at         | 4533 |
| least 30% of the county's population, or a group of contiguous       | 4534 |
| municipal corporations or townships, to establish, within their      | 4535 |
| boundaries, a 9-1-1 system and to enter into an agreement with one   | 4536 |
| or more telephone companies and repeals related provisions;          | 4537 |
| --Require wireline service providers designated in a final           | 4538 |
| 9-1-1 plan to install the wireline telephone network portion of      | 4539 |
| the system within three years from the date the initial final plan   | 4540 |
| and regarding the placement, maintenance, and design of county       | 4541 |
| 9-1-1 system highway and road signs;                                 | 4542 |
| --With one exception, limit to three the number of PSAPs             | 4543 |
| within a 9-1-1 system that may use disbursements from the Wireless   | 4544 |
| 9-1-1 Government Assistance Fund;                                    | 4545 |
| --Require the amounts of the wireless 9-1-1 charges to be            | 4546 |
| prescribed by the General Assembly;                                  | 4547 |

--Establish provisions governing emergency service 4548  
 telecommunicators (ESTs), the training program, curriculum, 4549  
 certification process, and continuing education requirements for 4550  
 ESTs and certain training for ESTs, who are PSAP employees, 4551  
 handling calls 9-1-1 about an apparent drug overdose. 4552

--Certain limitations on allowable costs for wireless 4553  
 enhanced 9-1-1 and the requirement that a RCOG operating a PSAP or 4554  
 a subdivision must consider the technical and operational 4555  
 standards before incurring the designing, upgrading, purchasing, 4556  
 leasing, and other costs listed in ongoing law. 4557

**Conforming changes** 4558

**R.C. 128.08, 128.40 (renumbered 128.20), 128.18 (renumbered** 4559  
**to 128.33), 128.22 (renumbered 128.35), 128.25 (renumbered** 4560  
**128.37), 128.26 (renumbered 128.38), 128.27 (renumbered 128.39),** 4561  
**128.34 (renumbered 128.98), 128.60, 149.43, 4776.20, and 5733.55** 4562

Makes conforming changes to the bill to reflect the changes 4563  
 made to 9-1-1 law. 4564