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135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 583

A BILL

To amend sections 109.57, 109.572, 109.71, 1
5103.0310, 5103.0329, 5103.05, and 5103.051 and 2
to enact sections 109.7411, 2151.46, 2151.461, 3
2151.462, 2151.463, 2151.464, 2151.465, 4
2151.466, 2151.467, 2151.468, 2151.469, 5
2151.4610, 3301.95, 3313.6414, 5103.039, 6
5103.052, 5103.053, 5103.054, 5103.055, 7
5103.056, 5103.057, 5103.058, 5103.0510, 8
5103.0512, 5103.0513, 5103.0514, and 5103.0515 9
of the Revised Code regarding residential 10
facilities for foster children. 11

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

Section 1. That sections 109.57, 109.572, 109.71, 12
5103.0310, 5103.0329, 5103.05, and 5103.051 be amended and 13
sections 109.7411, 2151.46, 2151.461, 2151.462, 2151.463, 14
2151.464, 2151.465, 2151.466, 2151.467, 2151.468, 2151.469, 15
2151.4610, 3301.95, 3313.6414, 5103.039, 5103.052, 5103.053, 16
5103.054, 5103.055, 5103.056, 5103.057, 5103.058, 5103.0510, 17
5103.0512, 5103.0513, 5103.0514, and 5103.0515 of the Revised 18



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Code be enacted to read as follows:

Sec. 109.57. (A) (1) The superintendent of the bureau of criminal identification and investigation shall procure from wherever procurable and file for record photographs, pictures, descriptions, fingerprints, measurements, and other information that may be pertinent of all persons who have been convicted of committing within this state a felony, any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, or any misdemeanor described in division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code, of all children under eighteen years of age who have been adjudicated delinquent children for committing within this state an act that would be a felony or an offense of violence if committed by an adult or who have been convicted of or pleaded guilty to committing within this state a felony or an offense of violence, and of all well-known and habitual criminals. The person in charge of any county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution and the person in charge of any state institution having custody of a person suspected of having committed a felony, any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, or any misdemeanor described in division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code or having custody of a child under eighteen years of age with respect to whom there is probable cause to believe that the child may have committed an act that would be a felony or an offense of violence if committed by an adult shall furnish such material to the superintendent of the bureau. Fingerprints, photographs, or

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other descriptive information of a child who is under eighteen 50
years of age, has not been arrested or otherwise taken into 51
custody for committing an act that would be a felony or an 52
offense of violence who is not in any other category of child 53
specified in this division, if committed by an adult, has not 54
been adjudicated a delinquent child for committing an act that 55
would be a felony or an offense of violence if committed by an 56
adult, has not been convicted of or pleaded guilty to committing 57
a felony or an offense of violence, and is not a child with 58
respect to whom there is probable cause to believe that the 59
child may have committed an act that would be a felony or an 60
offense of violence if committed by an adult shall not be 61
procured by the superintendent or furnished by any person in 62
charge of any county, multicounty, municipal, municipal-county, 63
or multicounty-municipal jail or workhouse, community-based 64
correctional facility, halfway house, alternative residential 65
facility, or state correctional institution, except as 66
authorized in section 2151.313 of the Revised Code. 67

(2) Every clerk of a court of record in this state, other 68
than the supreme court or a court of appeals, shall send to the 69
superintendent of the bureau a weekly report containing a 70
summary of each case involving a felony, involving any crime 71
constituting a misdemeanor on the first offense and a felony on 72
subsequent offenses, involving a misdemeanor described in 73
division (A)(1)(a), (A)(4)(a), or (A)(6)(a) of section 109.572 74
of the Revised Code, or involving an adjudication in a case in 75
which a child under eighteen years of age was alleged to be a 76
delinquent child for committing an act that would be a felony or 77
an offense of violence if committed by an adult. The clerk of 78
the court of common pleas shall include in the report and 79
summary the clerk sends under this division all information 80

described in divisions (A) (2) (a) to (f) of this section 81
regarding a case before the court of appeals that is served by 82
that clerk. The summary shall be written on the standard forms 83
furnished by the superintendent pursuant to division (B) of this 84
section and shall include the following information: 85

(a) The incident tracking number contained on the standard 86
forms furnished by the superintendent pursuant to division (B) 87
of this section; 88

(b) The style and number of the case; 89

(c) The date of arrest, offense, summons, or arraignment; 90

(d) The date that the person was convicted of or pleaded 91
guilty to the offense, adjudicated a delinquent child for 92
committing the act that would be a felony or an offense of 93
violence if committed by an adult, found not guilty of the 94
offense, or found not to be a delinquent child for committing an 95
act that would be a felony or an offense of violence if 96
committed by an adult, the date of an entry dismissing the 97
charge, an entry declaring a mistrial of the offense in which 98
the person is discharged, an entry finding that the person or 99
child is not competent to stand trial, or an entry of a nolle 100
prosequi, or the date of any other determination that 101
constitutes final resolution of the case; 102

(e) A statement of the original charge with the section of 103
the Revised Code that was alleged to be violated; 104

(f) If the person or child was convicted, pleaded guilty, 105
or was adjudicated a delinquent child, the sentence or terms of 106
probation imposed or any other disposition of the offender or 107
the delinquent child. 108

If the offense involved the disarming of a law enforcement 109

officer or an attempt to disarm a law enforcement officer, the 110
clerk shall clearly state that fact in the summary, and the 111
superintendent shall ensure that a clear statement of that fact 112
is placed in the bureau's records. 113

(3) The superintendent shall cooperate with and assist 114
sheriffs, chiefs of police, and other law enforcement officers 115
in the establishment of a complete system of criminal 116
identification and in obtaining fingerprints and other means of 117
identification of all persons arrested on a charge of a felony, 118
any crime constituting a misdemeanor on the first offense and a 119
felony on subsequent offenses, or a misdemeanor described in 120
division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 121
of the Revised Code and of all children under eighteen years of 122
age arrested or otherwise taken into custody for committing an 123
act that would be a felony or an offense of violence if 124
committed by an adult. The superintendent also shall file for 125
record the fingerprint impressions of all persons confined in a 126
county, multicounty, municipal, municipal-county, or 127
multicounty-municipal jail or workhouse, community-based 128
correctional facility, halfway house, alternative residential 129
facility, or state correctional institution for the violation of 130
state laws and of all children under eighteen years of age who 131
are confined in a county, multicounty, municipal, municipal- 132
county, or multicounty-municipal jail or workhouse, community- 133
based correctional facility, halfway house, alternative 134
residential facility, or state correctional institution or in 135
any facility for delinquent children for committing an act that 136
would be a felony or an offense of violence if committed by an 137
adult, and any other information that the superintendent may 138
receive from law enforcement officials of the state and its 139
political subdivisions. 140

(4) The superintendent shall carry out Chapter 2950. of 141
the Revised Code with respect to the registration of persons who 142
are convicted of or plead guilty to a sexually oriented offense 143
or a child-victim oriented offense and with respect to all other 144
duties imposed on the bureau under that chapter. 145

(5) The bureau shall perform centralized recordkeeping 146
functions for criminal history records and services in this 147
state for purposes of the national crime prevention and privacy 148
compact set forth in section 109.571 of the Revised Code and is 149
the criminal history record repository as defined in that 150
section for purposes of that compact. The superintendent or the 151
superintendent's designee is the compact officer for purposes of 152
that compact and shall carry out the responsibilities of the 153
compact officer specified in that compact. 154

(6) The superintendent shall, upon request, assist a 155
county coroner in the identification of a deceased person 156
through the use of fingerprint impressions obtained pursuant to 157
division (A) (1) of this section or collected pursuant to section 158
109.572 or 311.41 of the Revised Code. 159

(B) The superintendent shall prepare and furnish to every 160
county, multicounty, municipal, municipal-county, or 161
multicounty-municipal jail or workhouse, community-based 162
correctional facility, halfway house, alternative residential 163
facility, or state correctional institution and to every clerk 164
of a court in this state specified in division (A) (2) of this 165
section standard forms for reporting the information required 166
under division (A) of this section. The standard forms that the 167
superintendent prepares pursuant to this division may be in a 168
tangible format, in an electronic format, or in both tangible 169
formats and electronic formats. 170

(C) (1) The superintendent may operate a center for 171
electronic, automated, or other data processing for the storage 172
and retrieval of information, data, and statistics pertaining to 173
criminals and to children under eighteen years of age who are 174
adjudicated delinquent children for committing an act that would 175
be a felony or an offense of violence if committed by an adult, 176
criminal activity, crime prevention, law enforcement, and 177
criminal justice, and may establish and operate a statewide 178
communications network to be known as the Ohio law enforcement 179
gateway to gather and disseminate information, data, and 180
statistics for the use of law enforcement agencies and for other 181
uses specified in this division. The superintendent may gather, 182
store, retrieve, and disseminate information, data, and 183
statistics that pertain to children who are under eighteen years 184
of age and that are gathered pursuant to sections 109.57 to 185
109.61 of the Revised Code together with information, data, and 186
statistics that pertain to adults and that are gathered pursuant 187
to those sections. 188

(2) The superintendent or the superintendent's designee 189
shall gather information of the nature described in division (C) 190
(1) of this section that pertains to the offense and delinquency 191
history of a person who has been convicted of, pleaded guilty 192
to, or been adjudicated a delinquent child for committing a 193
sexually oriented offense or a child-victim oriented offense for 194
inclusion in the state registry of sex offenders and child- 195
victim offenders maintained pursuant to division (A) (1) of 196
section 2950.13 of the Revised Code and in the internet database 197
operated pursuant to division (A) (13) of that section and for 198
possible inclusion in the internet database operated pursuant to 199
division (A) (11) of that section. 200

(3) In addition to any other authorized use of 201

information, data, and statistics of the nature described in 202
division (C) (1) of this section, the superintendent or the 203
superintendent's designee may provide and exchange the 204
information, data, and statistics pursuant to the national crime 205
prevention and privacy compact as described in division (A) (5) 206
of this section. 207

(4) The Ohio law enforcement gateway shall contain the 208
name, confidential address, and telephone number of program 209
participants in the address confidentiality program established 210
under sections 111.41 to 111.47 of the Revised Code. 211

(5) The attorney general may adopt rules under Chapter 212
119. of the Revised Code establishing guidelines for the 213
operation of and participation in the Ohio law enforcement 214
gateway. The rules may include criteria for granting and 215
restricting access to information gathered and disseminated 216
through the Ohio law enforcement gateway. The attorney general 217
shall adopt rules under Chapter 119. of the Revised Code that 218
grant access to information in the gateway regarding an address 219
confidentiality program participant under sections 111.41 to 220
111.47 of the Revised Code to only chiefs of police, village 221
marshals, county sheriffs, county prosecuting attorneys, and a 222
designee of each of these individuals. The attorney general 223
shall permit an office of a county coroner, the state medical 224
board, and board of nursing to access and view, but not alter, 225
information gathered and disseminated through the Ohio law 226
enforcement gateway. 227

The attorney general may appoint a steering committee to 228
advise the attorney general in the operation of the Ohio law 229
enforcement gateway that is comprised of persons who are 230
representatives of the criminal justice agencies in this state 231

that use the Ohio law enforcement gateway and is chaired by the 232
superintendent or the superintendent's designee. 233

(D) (1) The following are not public records under section 234
149.43 of the Revised Code: 235

(a) Information and materials furnished to the 236
superintendent pursuant to division (A) of this section; 237

(b) Information, data, and statistics gathered or 238
disseminated through the Ohio law enforcement gateway pursuant 239
to division (C) (1) of this section; 240

(c) Information and materials furnished to any board or 241
person under division (F) or (G) of this section. 242

(2) The superintendent or the superintendent's designee 243
shall gather and retain information so furnished under division 244
(A) of this section that pertains to the offense and delinquency 245
history of a person who has been convicted of, pleaded guilty 246
to, or been adjudicated a delinquent child for committing a 247
sexually oriented offense or a child-victim oriented offense for 248
the purposes described in division (C) (2) of this section. 249

(E) (1) The attorney general shall adopt rules, in 250
accordance with Chapter 119. of the Revised Code and subject to 251
division (E) (2) of this section, setting forth the procedure by 252
which a person may receive or release information gathered by 253
the superintendent pursuant to division (A) of this section. A 254
reasonable fee may be charged for this service. If a temporary 255
employment service submits a request for a determination of 256
whether a person the service plans to refer to an employment 257
position has been convicted of or pleaded guilty to an offense 258
listed or described in division (A) (1), (2), or (3) of section 259
109.572 of the Revised Code, the request shall be treated as a 260

single request and only one fee shall be charged. 261

(2) Except as otherwise provided in this division or 262
division (E)(3) or (4) of this section, a rule adopted under 263
division (E)(1) of this section may provide only for the release 264
of information gathered pursuant to division (A) of this section 265
that relates to the conviction of a person, or a person's plea 266
of guilty to, a criminal offense or to the arrest of a person as 267
provided in division (E)(3) of this section. The superintendent 268
shall not release, and the attorney general shall not adopt any 269
rule under division (E)(1) of this section that permits the 270
release of, any information gathered pursuant to division (A) of 271
this section that relates to an adjudication of a child as a 272
delinquent child, or that relates to a criminal conviction of a 273
person under eighteen years of age if the person's case was 274
transferred back to a juvenile court under division (B)(2) or 275
(3) of section 2152.121 of the Revised Code and the juvenile 276
court imposed a disposition or serious youthful offender 277
disposition upon the person under either division, unless either 278
of the following applies with respect to the adjudication or 279
conviction: 280

(a) The adjudication or conviction was for a violation of 281
section 2903.01 or 2903.02 of the Revised Code. 282

(b) The adjudication or conviction was for a sexually 283
oriented offense, the juvenile court was required to classify 284
the child a juvenile offender registrant for that offense under 285
section 2152.82, 2152.83, or 2152.86 of the Revised Code, that 286
classification has not been removed, and the records of the 287
adjudication or conviction have not been sealed or expunged 288
pursuant to sections 2151.355 to 2151.358 or sealed or expunged 289
pursuant to section 2953.32 of the Revised Code. 290

(3) A rule adopted under division (E)(1) of this section 291
may provide for the release of information gathered pursuant to 292
division (A) of this section that relates to the arrest of a 293
person who is eighteen years of age or older when the person has 294
not been convicted as a result of that arrest if any of the 295
following applies: 296

(a) The arrest was made outside of this state. 297

(b) A criminal action resulting from the arrest is 298
pending, and the superintendent confirms that the criminal 299
action has not been resolved at the time the criminal records 300
check is performed. 301

(c) The bureau cannot reasonably determine whether a 302
criminal action resulting from the arrest is pending, and not 303
more than one year has elapsed since the date of the arrest. 304

(4) A rule adopted under division (E)(1) of this section 305
may provide for the release of information gathered pursuant to 306
division (A) of this section that relates to an adjudication of 307
a child as a delinquent child if not more than five years have 308
elapsed since the date of the adjudication, the adjudication was 309
for an act that would have been a felony if committed by an 310
adult, the records of the adjudication have not been sealed or 311
expunged pursuant to sections 2151.355 to 2151.358 of the 312
Revised Code, and the request for information is made under 313
division (F) of this section or under section 109.572 of the 314
Revised Code. In the case of an adjudication for a violation of 315
the terms of community control or supervised release, the five- 316
year period shall be calculated from the date of the 317
adjudication to which the community control or supervised 318
release pertains. 319

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

(2) (a) In addition to or in conjunction with any request that is required to be made under section 109.572, 2151.86, 3301.32, 3301.541, division (C) of section 3310.58, or section 3319.39, 3319.391, 3327.10, 3740.11, 5103.053, 5104.013, 5123.081, or 5153.111 of the Revised Code or that is made under section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code, the board of education of any school district; the director of developmental disabilities; any county board of developmental disabilities; any provider or subcontractor as defined in section 5123.081 of the Revised Code; the chief administrator of any chartered nonpublic school; the chief administrator of a registered private provider that is not also a chartered nonpublic school; the chief administrator of any home health agency; the chief administrator of or person operating any child care center, type A family child care home, or type B family child care home licensed under Chapter 5104. of the Revised Code; the chief administrator of any head start agency; the executive director of a public children services agency; the operator of a residential facility, as defined in section 2151.46 of the Revised Code; a private company described in section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code; or an employer described in division (J) (2) of section 3327.10 of the Revised Code may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied for employment in any position after October 2, 1989, or any individual wishing to apply for

employment with a board of education may request, with regard to 351
the individual, whether the bureau has any information gathered 352
under division (A) of this section that pertains to that 353
individual. On receipt of the request, subject to division (E) 354
(2) of this section, the superintendent shall determine whether 355
that information exists and, upon request of the person, board, 356
or entity requesting information, also shall request from the 357
federal bureau of investigation any criminal records it has 358
pertaining to that individual. The superintendent or the 359
superintendent's designee also may request criminal history 360
records from other states or the federal government pursuant to 361
the national crime prevention and privacy compact set forth in 362
section 109.571 of the Revised Code. Within thirty days of the 363
date that the superintendent receives a request, subject to 364
division (E) (2) of this section, the superintendent shall send 365
to the board, entity, or person a report of any information that 366
the superintendent determines exists, including information 367
contained in records that have been sealed under section 2953.32 368
of the Revised Code, and, within thirty days of its receipt, 369
subject to division (E) (2) of this section, shall send the 370
board, entity, or person a report of any information received 371
from the federal bureau of investigation, other than information 372
the dissemination of which is prohibited by federal law. 373

(b) When a board of education or a registered private 374
provider is required to receive information under this section 375
as a prerequisite to employment of an individual pursuant to 376
division (C) of section 3310.58 or section 3319.39 of the 377
Revised Code, it may accept a certified copy of records that 378
were issued by the bureau of criminal identification and 379
investigation and that are presented by an individual applying 380
for employment with the district in lieu of requesting that 381

information itself. In such a case, the board shall accept the 382
certified copy issued by the bureau in order to make a photocopy 383
of it for that individual's employment application documents and 384
shall return the certified copy to the individual. In a case of 385
that nature, a district or provider only shall accept a 386
certified copy of records of that nature within one year after 387
the date of their issuance by the bureau. 388

(c) Notwithstanding division (F) (2) (a) of this section, in 389
the case of a request under section 3319.39, 3319.391, or 390
3327.10 of the Revised Code only for criminal records maintained 391
by the federal bureau of investigation, the superintendent shall 392
not determine whether any information gathered under division 393
(A) of this section exists on the person for whom the request is 394
made. 395

(3) The state board of education or the department of 396
education and workforce may request, with respect to any 397
individual who has applied for employment after October 2, 1989, 398
in any position with the state board or the department of 399
education and workforce, any information that a school district 400
board of education is authorized to request under division (F) 401
(2) of this section, and the superintendent of the bureau shall 402
proceed as if the request has been received from a school 403
district board of education under division (F) (2) of this 404
section. 405

(4) When the superintendent of the bureau receives a 406
request for information under section 3319.291 of the Revised 407
Code, the superintendent shall proceed as if the request has 408
been received from a school district board of education and 409
shall comply with divisions (F) (2) (a) and (c) of this section. 410

(G) In addition to or in conjunction with any request that 411

is required to be made under section 3712.09, 3721.121, or 412
3740.11 of the Revised Code with respect to an individual who 413
has applied for employment in a position that involves providing 414
direct care to an older adult or adult resident, the chief 415
administrator of a home health agency, hospice care program, 416
home licensed under Chapter 3721. of the Revised Code, or adult 417
day-care program operated pursuant to rules adopted under 418
section 3721.04 of the Revised Code may request that the 419
superintendent of the bureau investigate and determine, with 420
respect to any individual who has applied after January 27, 421
1997, for employment in a position that does not involve 422
providing direct care to an older adult or adult resident, 423
whether the bureau has any information gathered under division 424
(A) of this section that pertains to that individual. 425

In addition to or in conjunction with any request that is 426
required to be made under section 173.27 of the Revised Code 427
with respect to an individual who has applied for employment in 428
a position that involves providing ombudsman services to 429
residents of long-term care facilities or recipients of 430
community-based long-term care services, the state long-term 431
care ombudsman, the director of aging, a regional long-term care 432
ombudsman program, or the designee of the ombudsman, director, 433
or program may request that the superintendent investigate and 434
determine, with respect to any individual who has applied for 435
employment in a position that does not involve providing such 436
ombudsman services, whether the bureau has any information 437
gathered under division (A) of this section that pertains to 438
that applicant. 439

In addition to or in conjunction with any request that is 440
required to be made under section 173.38 of the Revised Code 441
with respect to an individual who has applied for employment in 442

a direct-care position, the chief administrator of a provider, 443
as defined in section 173.39 of the Revised Code, may request 444
that the superintendent investigate and determine, with respect 445
to any individual who has applied for employment in a position 446
that is not a direct-care position, whether the bureau has any 447
information gathered under division (A) of this section that 448
pertains to that applicant. 449

In addition to or in conjunction with any request that is 450
required to be made under section 3712.09 of the Revised Code 451
with respect to an individual who has applied for employment in 452
a position that involves providing direct care to a pediatric 453
respite care patient, the chief administrator of a pediatric 454
respite care program may request that the superintendent of the 455
bureau investigate and determine, with respect to any individual 456
who has applied for employment in a position that does not 457
involve providing direct care to a pediatric respite care 458
patient, whether the bureau has any information gathered under 459
division (A) of this section that pertains to that individual. 460

On receipt of a request under this division, the 461
superintendent shall determine whether that information exists 462
and, on request of the individual requesting information, shall 463
also request from the federal bureau of investigation any 464
criminal records it has pertaining to the applicant. The 465
superintendent or the superintendent's designee also may request 466
criminal history records from other states or the federal 467
government pursuant to the national crime prevention and privacy 468
compact set forth in section 109.571 of the Revised Code. Within 469
thirty days of the date a request is received, subject to 470
division (E)(2) of this section, the superintendent shall send 471
to the requester a report of any information determined to 472
exist, including information contained in records that have been 473

sealed under section 2953.32 of the Revised Code, and, within 474
thirty days of its receipt, shall send the requester a report of 475
any information received from the federal bureau of 476
investigation, other than information the dissemination of which 477
is prohibited by federal law. 478

(H) Information obtained by a government entity or person 479
under this section is confidential and shall not be released or 480
disseminated. 481

(I) The superintendent may charge a reasonable fee for 482
providing information or criminal records under division (F) (2) 483
or (G) of this section. 484

(J) As used in this section: 485

(1) "Pediatric respite care program" and "pediatric care 486
patient" have the same meanings as in section 3712.01 of the 487
Revised Code. 488

(2) "Sexually oriented offense" and "child-victim oriented 489
offense" have the same meanings as in section 2950.01 of the 490
Revised Code. 491

(3) "Registered private provider" means a nonpublic school 492
or entity registered with the department of education and 493
workforce under section 3310.41 of the Revised Code to 494
participate in the autism scholarship program or section 3310.58 495
of the Revised Code to participate in the Jon Peterson special 496
needs scholarship program. 497

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 498
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 499
Code, a completed form prescribed pursuant to division (C) (1) of 500
this section, and a set of fingerprint impressions obtained in 501
the manner described in division (C) (2) of this section, the 502

superintendent of the bureau of criminal identification and 503
investigation shall conduct a criminal records check in the 504
manner described in division (B) of this section to determine 505
whether any information exists that indicates that the person 506
who is the subject of the request previously has been convicted 507
of or pleaded guilty to any of the following: 508

(a) A violation of section 2903.01, 2903.02, 2903.03, 509
2903.04, 2903.041, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 510
2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 511
2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 512
2907.08, 2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.25, 513
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 514
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 515
2923.12, 2923.13, 2923.161, 2923.17, 2923.21, 2923.42, 2925.02, 516
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.13, 2925.22, 517
2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 2925.37, or 3716.11 518
of the Revised Code, felonious sexual penetration in violation 519
of former section 2907.12 of the Revised Code, a violation of 520
section 2905.04 of the Revised Code as it existed prior to July 521
1, 1996, a violation of section 2919.23 of the Revised Code that 522
would have been a violation of section 2905.04 of the Revised 523
Code as it existed prior to July 1, 1996, had the violation been 524
committed prior to that date, or a violation of section 2925.11 525
of the Revised Code that is not a minor drug possession offense; 526

(b) A violation of an existing or former law of this 527
state, any other state, or the United States that is 528
substantially equivalent to any of the offenses listed in 529
division (A)(1)(a) of this section; 530

(c) If the request is made pursuant to section 3319.39 of 531
the Revised Code for an applicant who is a teacher, any offense 532

specified under section 9.79 of the Revised Code or in section 533
3319.31 of the Revised Code. 534

(2) On receipt of a request pursuant to section 3712.09 or 535
3721.121 of the Revised Code, a completed form prescribed 536
pursuant to division (C)(1) of this section, and a set of 537
fingerprint impressions obtained in the manner described in 538
division (C)(2) of this section, the superintendent of the 539
bureau of criminal identification and investigation shall 540
conduct a criminal records check with respect to any person who 541
has applied for employment in a position for which a criminal 542
records check is required by those sections. The superintendent 543
shall conduct the criminal records check in the manner described 544
in division (B) of this section to determine whether any 545
information exists that indicates that the person who is the 546
subject of the request previously has been convicted of or 547
pleaded guilty to any of the following: 548

(a) A violation of section 2903.01, 2903.02, 2903.03, 549
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 550
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 551
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 552
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 553
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 554
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 555
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 556
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 557

(b) An existing or former law of this state, any other 558
state, or the United States that is substantially equivalent to 559
any of the offenses listed in division (A)(2)(a) of this 560
section. 561

(3) On receipt of a request pursuant to section 173.27, 562

173.38, 173.381, 3740.11, 5119.34, 5164.34, 5164.341, 5164.342, 563
5123.081, or 5123.169 of the Revised Code, a completed form 564
prescribed pursuant to division (C)(1) of this section, and a 565
set of fingerprint impressions obtained in the manner described 566
in division (C)(2) of this section, the superintendent of the 567
bureau of criminal identification and investigation shall 568
conduct a criminal records check of the person for whom the 569
request is made. The superintendent shall conduct the criminal 570
records check in the manner described in division (B) of this 571
section to determine whether any information exists that 572
indicates that the person who is the subject of the request 573
previously has been convicted of, has pleaded guilty to, or 574
(except in the case of a request pursuant to section 5164.34, 575
5164.341, or 5164.342 of the Revised Code) has been found 576
eligible for intervention in lieu of conviction for any of the 577
following, regardless of the date of the conviction, the date of 578
entry of the guilty plea, or (except in the case of a request 579
pursuant to section 5164.34, 5164.341, or 5164.342 of the 580
Revised Code) the date the person was found eligible for 581
intervention in lieu of conviction: 582

(a) A violation of section 959.13, 959.131, 2903.01, 583
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 584
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 585
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 586
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 587
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 588
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 589
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 590
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 591
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 592
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 593

2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 594
2919.121, 2919.123, 2919.124, 2919.22, 2919.23, 2919.24, 595
2919.25, 2921.03, 2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 596
2921.32, 2921.321, 2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 597
2923.122, 2923.123, 2923.13, 2923.161, 2923.162, 2923.21, 598
2923.32, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 599
2925.06, 2925.09, 2925.11, 2925.13, 2925.14, 2925.22, 2925.23, 600
2925.24, 2925.36, 2925.55, 2925.56, 2927.12, or 3716.11 of the 601
Revised Code; 602

(b) Felonious sexual penetration in violation of former 603
section 2907.12 of the Revised Code; 604

(c) A violation of section 2905.04 of the Revised Code as 605
it existed prior to July 1, 1996; 606

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 607
the Revised Code when the underlying offense that is the object 608
of the conspiracy, attempt, or complicity is one of the offenses 609
listed in divisions (A) (3) (a) to (c) of this section; 610

(e) A violation of an existing or former municipal 611
ordinance or law of this state, any other state, or the United 612
States that is substantially equivalent to any of the offenses 613
listed in divisions (A) (3) (a) to (d) of this section. 614

(4) On receipt of a request pursuant to section 2151.86~~or~~ 615
2151.904, or 5103.053 of the Revised Code, a completed form 616
prescribed pursuant to division (C) (1) of this section, and a 617
set of fingerprint impressions obtained in the manner described 618
in division (C) (2) of this section, the superintendent of the 619
bureau of criminal identification and investigation shall 620
conduct a criminal records check in the manner described in 621
division (B) of this section to determine whether any 622

information exists that indicates that the person who is the 623
subject of the request previously has been convicted of or 624
pleaded guilty to any of the following: 625

(a) A violation of section 959.13, 2151.421, 2903.01, 626
2903.02, 2903.03, 2903.04, 2903.041, 2903.06, 2903.08, 2903.11, 627
2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 628
2903.32, 2903.34, 2905.01, 2905.02, 2905.05, 2905.32, 2907.02, 629
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 630
2907.19, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 631
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 632
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 633
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 634
2923.13, 2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 635
2925.041, 2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 636
2925.31, 2925.32, 2925.36, 2925.37, 2927.12, or 3716.11 of the 637
Revised Code, a violation of section 2905.04 of the Revised Code 638
as it existed prior to July 1, 1996, a violation of section 639
2919.23 of the Revised Code that would have been a violation of 640
section 2905.04 of the Revised Code as it existed prior to July 641
1, 1996, had the violation been committed prior to that date, a 642
violation of section 2925.11 of the Revised Code that is not a 643
minor drug possession offense, two or more OVI or OVUAC 644
violations committed within the three years immediately 645
preceding the submission of the application or petition that is 646
the basis of the request, or felonious sexual penetration in 647
violation of former section 2907.12 of the Revised Code, or a 648
violation of Chapter 2919. of the Revised Code that is a felony; 649

(b) A violation of an existing or former law of this 650
state, any other state, or the United States that is 651
substantially equivalent to any of the offenses listed in 652
division (A) (4) (a) of this section. 653

(5) Upon receipt of a request pursuant to section 5104.013 654
of the Revised Code, a completed form prescribed pursuant to 655
division (C)(1) of this section, and a set of fingerprint 656
impressions obtained in the manner described in division (C)(2) 657
of this section, the superintendent of the bureau of criminal 658
identification and investigation shall conduct a criminal 659
records check in the manner described in division (B) of this 660
section to determine whether any information exists that 661
indicates that the person who is the subject of the request has 662
been convicted of or pleaded guilty to any of the following: 663

(a) A violation of section 2151.421, 2903.01, 2903.02, 664
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 665
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 666
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 667
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 668
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 669
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 670
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 671
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 672
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 673
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 674
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 675
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 676
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 677
3716.11 of the Revised Code, felonious sexual penetration in 678
violation of former section 2907.12 of the Revised Code, a 679
violation of section 2905.04 of the Revised Code as it existed 680
prior to July 1, 1996, a violation of section 2919.23 of the 681
Revised Code that would have been a violation of section 2905.04 682
of the Revised Code as it existed prior to July 1, 1996, had the 683
violation been committed prior to that date, a violation of 684

section 2925.11 of the Revised Code that is not a minor drug 685
possession offense, a violation of section 2923.02 or 2923.03 of 686
the Revised Code that relates to a crime specified in this 687
division, or a second violation of section 4511.19 of the 688
Revised Code within five years of the date of application for 689
licensure or certification. 690

(b) A violation of an existing or former law of this 691
state, any other state, or the United States that is 692
substantially equivalent to any of the offenses or violations 693
described in division (A) (5) (a) of this section. 694

(6) Upon receipt of a request pursuant to section 5153.111 695
of the Revised Code, a completed form prescribed pursuant to 696
division (C) (1) of this section, and a set of fingerprint 697
impressions obtained in the manner described in division (C) (2) 698
of this section, the superintendent of the bureau of criminal 699
identification and investigation shall conduct a criminal 700
records check in the manner described in division (B) of this 701
section to determine whether any information exists that 702
indicates that the person who is the subject of the request 703
previously has been convicted of or pleaded guilty to any of the 704
following: 705

(a) A violation of section 2903.01, 2903.02, 2903.03, 706
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 707
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 708
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 709
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 710
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 711
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 712
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 713
Code, felonious sexual penetration in violation of former 714

section 2907.12 of the Revised Code, a violation of section 715
2905.04 of the Revised Code as it existed prior to July 1, 1996, 716
a violation of section 2919.23 of the Revised Code that would 717
have been a violation of section 2905.04 of the Revised Code as 718
it existed prior to July 1, 1996, had the violation been 719
committed prior to that date, or a violation of section 2925.11 720
of the Revised Code that is not a minor drug possession offense; 721

(b) A violation of an existing or former law of this 722
state, any other state, or the United States that is 723
substantially equivalent to any of the offenses listed in 724
division (A) (6) (a) of this section. 725

(7) On receipt of a request for a criminal records check 726
from an individual pursuant to section 4749.03 or 4749.06 of the 727
Revised Code, accompanied by a completed copy of the form 728
prescribed in division (C) (1) of this section and a set of 729
fingerprint impressions obtained in a manner described in 730
division (C) (2) of this section, the superintendent of the 731
bureau of criminal identification and investigation shall 732
conduct a criminal records check in the manner described in 733
division (B) of this section to determine whether any 734
information exists indicating that the person who is the subject 735
of the request has been convicted of or pleaded guilty to any 736
criminal offense in this state or in any other state. If the 737
individual indicates that a firearm will be carried in the 738
course of business, the superintendent shall require information 739
from the federal bureau of investigation as described in 740
division (B) (2) of this section. Subject to division (F) of this 741
section, the superintendent shall report the findings of the 742
criminal records check and any information the federal bureau of 743
investigation provides to the director of public safety. 744

(8) On receipt of a request pursuant to section 1321.37, 745
1321.53, or 4763.05 of the Revised Code, a completed form 746
prescribed pursuant to division (C)(1) of this section, and a 747
set of fingerprint impressions obtained in the manner described 748
in division (C)(2) of this section, the superintendent of the 749
bureau of criminal identification and investigation shall 750
conduct a criminal records check with respect to any person who 751
has applied for a license, permit, or certification from the 752
department of commerce or a division in the department. The 753
superintendent shall conduct the criminal records check in the 754
manner described in division (B) of this section to determine 755
whether any information exists that indicates that the person 756
who is the subject of the request previously has been convicted 757
of or pleaded guilty to any criminal offense in this state, any 758
other state, or the United States. 759

(9) On receipt of a request for a criminal records check 760
from the treasurer of state under section 113.041 of the Revised 761
Code or from an individual under section 928.03, 4701.08, 762
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 763
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 764
4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 765
4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.21, 766
4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 767
4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 4776.021, 768
4778.04, 4778.07, 4779.091, or 4783.04 of the Revised Code, 769
accompanied by a completed form prescribed under division (C)(1) 770
of this section and a set of fingerprint impressions obtained in 771
the manner described in division (C)(2) of this section, the 772
superintendent of the bureau of criminal identification and 773
investigation shall conduct a criminal records check in the 774
manner described in division (B) of this section to determine 775

whether any information exists that indicates that the person 776
who is the subject of the request has been convicted of or 777
pleaded guilty to any criminal offense in this state or any 778
other state. Subject to division (F) of this section, the 779
superintendent shall send the results of a check requested under 780
section 113.041 of the Revised Code to the treasurer of state 781
and shall send the results of a check requested under any of the 782
other listed sections to the licensing board specified by the 783
individual in the request. 784

(10) On receipt of a request pursuant to section 124.74, 785
718.131, 1121.23, 1315.141, 1733.47, or 1761.26 of the Revised 786
Code, a completed form prescribed pursuant to division (C)(1) of 787
this section, and a set of fingerprint impressions obtained in 788
the manner described in division (C)(2) of this section, the 789
superintendent of the bureau of criminal identification and 790
investigation shall conduct a criminal records check in the 791
manner described in division (B) of this section to determine 792
whether any information exists that indicates that the person 793
who is the subject of the request previously has been convicted 794
of or pleaded guilty to any criminal offense under any existing 795
or former law of this state, any other state, or the United 796
States. 797

(11) On receipt of a request for a criminal records check 798
from an appointing or licensing authority under section 3772.07 799
of the Revised Code, a completed form prescribed under division 800
(C)(1) of this section, and a set of fingerprint impressions 801
obtained in the manner prescribed in division (C)(2) of this 802
section, the superintendent of the bureau of criminal 803
identification and investigation shall conduct a criminal 804
records check in the manner described in division (B) of this 805
section to determine whether any information exists that 806

indicates that the person who is the subject of the request 807
previously has been convicted of or pleaded guilty or no contest 808
to any offense under any existing or former law of this state, 809
any other state, or the United States that makes the person 810
ineligible for appointment or retention under section 3772.07 of 811
the Revised Code or that is a disqualifying offense as defined 812
in that section or substantially equivalent to a disqualifying 813
offense, as applicable. 814

(12) On receipt of a request pursuant to section 2151.33 815
or 2151.412 of the Revised Code, a completed form prescribed 816
pursuant to division (C)(1) of this section, and a set of 817
fingerprint impressions obtained in the manner described in 818
division (C)(2) of this section, the superintendent of the 819
bureau of criminal identification and investigation shall 820
conduct a criminal records check with respect to any person for 821
whom a criminal records check is required under that section. 822
The superintendent shall conduct the criminal records check in 823
the manner described in division (B) of this section to 824
determine whether any information exists that indicates that the 825
person who is the subject of the request previously has been 826
convicted of or pleaded guilty to any of the following: 827

(a) A violation of section 2903.01, 2903.02, 2903.03, 828
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 829
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 830
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 831
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 832
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 833
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 834
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 835
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 836

(b) An existing or former law of this state, any other 837
state, or the United States that is substantially equivalent to 838
any of the offenses listed in division (A) (12) (a) of this 839
section. 840

(13) On receipt of a request pursuant to section 3796.12 841
of the Revised Code, a completed form prescribed pursuant to 842
division (C) (1) of this section, and a set of fingerprint 843
impressions obtained in a manner described in division (C) (2) of 844
this section, the superintendent of the bureau of criminal 845
identification and investigation shall conduct a criminal 846
records check in the manner described in division (B) of this 847
section to determine whether any information exists that 848
indicates that the person who is the subject of the request 849
previously has been convicted of or pleaded guilty to a 850
disqualifying offense as specified in rules adopted under 851
section 9.79 and division (B) (2) (b) of section 3796.03 of the 852
Revised Code if the person who is the subject of the request is 853
an administrator or other person responsible for the daily 854
operation of, or an owner or prospective owner, officer or 855
prospective officer, or board member or prospective board member 856
of, an entity seeking a license from the department of commerce 857
under Chapter 3796. of the Revised Code. 858

(14) On receipt of a request required by section 3796.13 859
of the Revised Code, a completed form prescribed pursuant to 860
division (C) (1) of this section, and a set of fingerprint 861
impressions obtained in a manner described in division (C) (2) of 862
this section, the superintendent of the bureau of criminal 863
identification and investigation shall conduct a criminal 864
records check in the manner described in division (B) of this 865
section to determine whether any information exists that 866
indicates that the person who is the subject of the request 867

previously has been convicted of or pleaded guilty to a 868
disqualifying offense as specified in rules adopted under 869
division (B) (14) (a) of section 3796.03 of the Revised Code if 870
the person who is the subject of the request is seeking 871
employment with an entity licensed by the department of commerce 872
under Chapter 3796. of the Revised Code. 873

(15) On receipt of a request pursuant to section 4768.06 874
of the Revised Code, a completed form prescribed under division 875
(C) (1) of this section, and a set of fingerprint impressions 876
obtained in the manner described in division (C) (2) of this 877
section, the superintendent of the bureau of criminal 878
identification and investigation shall conduct a criminal 879
records check in the manner described in division (B) of this 880
section to determine whether any information exists indicating 881
that the person who is the subject of the request has been 882
convicted of or pleaded guilty to any criminal offense in this 883
state or in any other state. 884

(16) On receipt of a request pursuant to division (B) of 885
section 4764.07 or division (A) of section 4735.143 of the 886
Revised Code, a completed form prescribed under division (C) (1) 887
of this section, and a set of fingerprint impressions obtained 888
in the manner described in division (C) (2) of this section, the 889
superintendent of the bureau of criminal identification and 890
investigation shall conduct a criminal records check in the 891
manner described in division (B) of this section to determine 892
whether any information exists indicating that the person who is 893
the subject of the request has been convicted of or pleaded 894
guilty to any criminal offense in any state or the United 895
States. 896

(17) On receipt of a request for a criminal records check 897

under section 147.022 of the Revised Code, a completed form 898
prescribed under division (C)(1) of this section, and a set of 899
fingerprint impressions obtained in the manner prescribed in 900
division (C)(2) of this section, the superintendent of the 901
bureau of criminal identification and investigation shall 902
conduct a criminal records check in the manner described in 903
division (B) of this section to determine whether any 904
information exists that indicates that the person who is the 905
subject of the request previously has been convicted of or 906
pleaded guilty or no contest to any criminal offense under any 907
existing or former law of this state, any other state, or the 908
United States. 909

(18) Upon receipt of a request pursuant to division (F) of 910
section 2915.081 or division (E) of section 2915.082 of the 911
Revised Code, a completed form prescribed under division (C)(1) 912
of this section, and a set of fingerprint impressions obtained 913
in the manner described in division (C)(2) of this section, the 914
superintendent of the bureau of criminal identification and 915
investigation shall conduct a criminal records check in the 916
manner described in division (B) of this section to determine 917
whether any information exists indicating that the person who is 918
the subject of the request has been convicted of or pleaded 919
guilty or no contest to any offense that is a violation of 920
Chapter 2915. of the Revised Code or to any offense under any 921
existing or former law of this state, any other state, or the 922
United States that is substantially equivalent to such an 923
offense. 924

(19) On receipt of a request pursuant to section 3775.03 925
of the Revised Code, a completed form prescribed under division 926
(C)(1) of this section, and a set of fingerprint impressions 927
obtained in the manner described in division (C)(2) of this 928

section, the superintendent of the bureau of criminal 929
identification and investigation shall conduct a criminal 930
records check in the manner described in division (B) of this 931
section and shall request information from the federal bureau of 932
investigation to determine whether any information exists 933
indicating that the person who is the subject of the request has 934
been convicted of any offense under any existing or former law 935
of this state, any other state, or the United States that is a 936
disqualifying offense as defined in section 3772.07 of the 937
Revised Code. 938

(B) Subject to division (F) of this section, the 939
superintendent shall conduct any criminal records check to be 940
conducted under this section as follows: 941

(1) The superintendent shall review or cause to be 942
reviewed any relevant information gathered and compiled by the 943
bureau under division (A) of section 109.57 of the Revised Code 944
that relates to the person who is the subject of the criminal 945
records check, including, if the criminal records check was 946
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 947
173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 948
1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3740.11, 949
3712.09, 3721.121, 3772.07, 3775.03, 3796.12, 3796.13, 4729.071, 950
4729.53, 4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 951
4768.06, 5103.053, 5104.013, 5164.34, 5164.341, 5164.342, 952
5123.081, 5123.169, or 5153.111 of the Revised Code, any 953
relevant information contained in records that have been sealed 954
under section 2953.32 of the Revised Code; 955

(2) If the request received by the superintendent asks for 956
information from the federal bureau of investigation, the 957
superintendent shall request from the federal bureau of 958

investigation any information it has with respect to the person 959
who is the subject of the criminal records check, including 960
fingerprint-based checks of national crime information databases 961
as described in 42 U.S.C. 671 if the request is made pursuant to 962
section 2151.86, 5103.053, or 5104.013 of the Revised Code or if 963
any other Revised Code section requires fingerprint-based checks 964
of that nature, and shall review or cause to be reviewed any 965
information the superintendent receives from that bureau. If a 966
request under section 3319.39 of the Revised Code asks only for 967
information from the federal bureau of investigation, the 968
superintendent shall not conduct the review prescribed by 969
division (B) (1) of this section. 970

(3) The superintendent or the superintendent's designee 971
may request criminal history records from other states or the 972
federal government pursuant to the national crime prevention and 973
privacy compact set forth in section 109.571 of the Revised 974
Code. 975

(4) The superintendent shall include in the results of the 976
criminal records check a list or description of the offenses 977
listed or described in the relevant provision of division (A) of 978
this section. The superintendent shall exclude from the results 979
any information the dissemination of which is prohibited by 980
federal law. 981

(5) The superintendent shall send the results of the 982
criminal records check to the person to whom it is to be sent 983
not later than the following number of days after the date the 984
superintendent receives the request for the criminal records 985
check, the completed form prescribed under division (C) (1) of 986
this section, and the set of fingerprint impressions obtained in 987
the manner described in division (C) (2) of this section: 988

(a) If the superintendent is required by division (A) of 989
this section (other than division (A)(3) of this section) to 990
conduct the criminal records check, thirty; 991

(b) If the superintendent is required by division (A)(3) 992
of this section to conduct the criminal records check, sixty. 993

(C)(1) The superintendent shall prescribe a form to obtain 994
the information necessary to conduct a criminal records check 995
from any person for whom a criminal records check is to be 996
conducted under this section. The form that the superintendent 997
prescribes pursuant to this division may be in a tangible 998
format, in an electronic format, or in both tangible and 999
electronic formats. 1000

(2) The superintendent shall prescribe standard impression 1001
sheets to obtain the fingerprint impressions of any person for 1002
whom a criminal records check is to be conducted under this 1003
section. Any person for whom a records check is to be conducted 1004
under this section shall obtain the fingerprint impressions at a 1005
county sheriff's office, municipal police department, or any 1006
other entity with the ability to make fingerprint impressions on 1007
the standard impression sheets prescribed by the superintendent. 1008
The office, department, or entity may charge the person a 1009
reasonable fee for making the impressions. The standard 1010
impression sheets the superintendent prescribes pursuant to this 1011
division may be in a tangible format, in an electronic format, 1012
or in both tangible and electronic formats. 1013

(3) Subject to division (D) of this section, the 1014
superintendent shall prescribe and charge a reasonable fee for 1015
providing a criminal records check under this section. The 1016
person requesting the criminal records check shall pay the fee 1017
prescribed pursuant to this division. In the case of a request 1018

under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1019
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 1020
fee shall be paid in the manner specified in that section. 1021

(4) The superintendent of the bureau of criminal 1022
identification and investigation may prescribe methods of 1023
forwarding fingerprint impressions and information necessary to 1024
conduct a criminal records check, which methods shall include, 1025
but not be limited to, an electronic method. 1026

(D) The results of a criminal records check conducted 1027
under this section, other than a criminal records check 1028
specified in division (A)(7) of this section, are valid for the 1029
person who is the subject of the criminal records check for a 1030
period of one year from the date upon which the superintendent 1031
completes the criminal records check. If during that period the 1032
superintendent receives another request for a criminal records 1033
check to be conducted under this section for that person, the 1034
superintendent shall provide the results from the previous 1035
criminal records check of the person at a lower fee than the fee 1036
prescribed for the initial criminal records check. 1037

(E) When the superintendent receives a request for 1038
information from a registered private provider, the 1039
superintendent shall proceed as if the request was received from 1040
a school district board of education under section 3319.39 of 1041
the Revised Code. The superintendent shall apply division (A)(1) 1042
(c) of this section to any such request for an applicant who is 1043
a teacher. 1044

(F)(1) Subject to division (F)(2) of this section, all 1045
information regarding the results of a criminal records check 1046
conducted under this section that the superintendent reports or 1047
sends under division (A)(7) or (9) of this section to the 1048

director of public safety, the treasurer of state, or the 1049
person, board, or entity that made the request for the criminal 1050
records check shall relate to the conviction of the subject 1051
person, or the subject person's plea of guilty to, a criminal 1052
offense. 1053

(2) Division (F)(1) of this section does not limit, 1054
restrict, or preclude the superintendent's release of 1055
information that relates to the arrest of a person who is 1056
eighteen years of age or older, to an adjudication of a child as 1057
a delinquent child, or to a criminal conviction of a person 1058
under eighteen years of age in circumstances in which a release 1059
of that nature is authorized under division (E)(2), (3), or (4) 1060
of section 109.57 of the Revised Code pursuant to a rule adopted 1061
under division (E)(1) of that section. 1062

(G) As used in this section: 1063

(1) "Criminal records check" means any criminal records 1064
check conducted by the superintendent of the bureau of criminal 1065
identification and investigation in accordance with division (B) 1066
of this section. 1067

(2) "Minor drug possession offense" has the same meaning 1068
as in section 2925.01 of the Revised Code. 1069

(3) "OVI or OVUAC violation" means a violation of section 1070
4511.19 of the Revised Code or a violation of an existing or 1071
former law of this state, any other state, or the United States 1072
that is substantially equivalent to section 4511.19 of the 1073
Revised Code. 1074

(4) "Registered private provider" means a nonpublic school 1075
or entity registered with the department of education and 1076
workforce under section 3310.41 of the Revised Code to 1077

participate in the autism scholarship program or section 3310.58 1078
of the Revised Code to participate in the Jon Peterson special 1079
needs scholarship program. 1080

Sec. 109.71. There is hereby created in the office of the 1081
attorney general the Ohio peace officer training commission. The 1082
commission shall consist of ten members appointed by the 1083
governor with the advice and consent of the senate and selected 1084
as follows: one member representing the public; one member who 1085
represents a fraternal organization representing law enforcement 1086
officers; two members who are incumbent sheriffs; two members 1087
who are incumbent chiefs of police; one member from the bureau 1088
of criminal identification and investigation; one member from 1089
the state highway patrol; one member who is the special agent in 1090
charge of a field office of the federal bureau of investigation 1091
in this state; and one member from the department of education 1092
and workforce, trade and industrial education services, law 1093
enforcement training. 1094

This section does not confer any arrest authority or any 1095
ability or authority to detain a person, write or issue any 1096
citation, or provide any disposition alternative, as granted 1097
under Chapter 2935. of the Revised Code. 1098

Pursuant to division (A) (9) of section 101.82 of the 1099
Revised Code, the commission is exempt from the requirements of 1100
sections 101.82 to 101.87 of the Revised Code. 1101

As used in sections 109.71 to 109.801 of the Revised Code: 1102

(A) "Peace officer" means: 1103

(1) A deputy sheriff, marshal, deputy marshal, member of 1104
the organized police department of a township or municipal 1105
corporation, member of a township police district or joint 1106

police district police force, member of a police force employed 1107
by a metropolitan housing authority under division (D) of 1108
section 3735.31 of the Revised Code, or township constable, who 1109
is commissioned and employed as a peace officer by a political 1110
subdivision of this state or by a metropolitan housing 1111
authority, and whose primary duties are to preserve the peace, 1112
to protect life and property, and to enforce the laws of this 1113
state, ordinances of a municipal corporation, resolutions of a 1114
township, or regulations of a board of county commissioners or 1115
board of township trustees, or any of those laws, ordinances, 1116
resolutions, or regulations; 1117

(2) A police officer who is employed by a railroad company 1118
and appointed and commissioned by the secretary of state 1119
pursuant to sections 4973.17 to 4973.22 of the Revised Code; 1120

(3) Employees of the department of taxation engaged in the 1121
enforcement of Chapter 5743. of the Revised Code and designated 1122
by the tax commissioner for peace officer training for purposes 1123
of the delegation of investigation powers under section 5743.45 1124
of the Revised Code; 1125

(4) An undercover drug agent; 1126

(5) Enforcement agents of the department of public safety 1127
whom the director of public safety designates under section 1128
5502.14 of the Revised Code; 1129

(6) An employee of the department of natural resources who 1130
is a natural resources law enforcement staff officer designated 1131
pursuant to section 1501.013, a natural resources officer 1132
appointed pursuant to section 1501.24, a forest-fire 1133
investigator appointed pursuant to section 1503.09, or a 1134
wildlife officer designated pursuant to section 1531.13 of the 1135

Revised Code;	1136
(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;	1137 1138
(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	1139 1140
(9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;	1141 1142 1143 1144 1145
(10) Veterans' homes police officers designated under section 5907.02 of the Revised Code;	1146 1147
(11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code;	1148 1149 1150
(12) A state university law enforcement officer appointed under section 3345.04 of the Revised Code or a person serving as a state university law enforcement officer on a permanent basis on June 19, 1978, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;	1151 1152 1153 1154 1155 1156 1157 1158
(13) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;	1159 1160 1161 1162
(14) A member of a campus police department appointed	1163

under section 1713.50 of the Revised Code; 1164

(15) A member of a police force employed by a regional 1165
transit authority under division (Y) of section 306.35 of the 1166
Revised Code; 1167

(16) Investigators appointed by the auditor of state 1168
pursuant to section 117.091 of the Revised Code and engaged in 1169
the enforcement of Chapter 117. of the Revised Code; 1170

(17) A special police officer designated by the 1171
superintendent of the state highway patrol pursuant to section 1172
5503.09 of the Revised Code or a person who was serving as a 1173
special police officer pursuant to that section on a permanent 1174
basis on October 21, 1997, and who has been awarded a 1175
certificate by the executive director of the Ohio peace officer 1176
training commission attesting to the person's satisfactory 1177
completion of an approved state, county, municipal, or 1178
department of natural resources peace officer basic training 1179
program; 1180

(18) A special police officer employed by a port authority 1181
under section 4582.04 or 4582.28 of the Revised Code or a person 1182
serving as a special police officer employed by a port authority 1183
on a permanent basis on May 17, 2000, who has been awarded a 1184
certificate by the executive director of the Ohio peace officer 1185
training commission attesting to the person's satisfactory 1186
completion of an approved state, county, municipal, or 1187
department of natural resources peace officer basic training 1188
program; 1189

(19) A special police officer employed by a municipal 1190
corporation who has been awarded a certificate by the executive 1191
director of the Ohio peace officer training commission for 1192

satisfactory completion of an approved peace officer basic 1193
training program and who is employed on a permanent basis on or 1194
after March 19, 2003, at a municipal airport, or other municipal 1195
air navigation facility, that has scheduled operations, as 1196
defined in section 119.3 of Title 14 of the Code of Federal 1197
Regulations, 14 C.F.R. 119.3, as amended, and that is required 1198
to be under a security program and is governed by aviation 1199
security rules of the transportation security administration of 1200
the United States department of transportation as provided in 1201
Parts 1542. and 1544. of Title 49 of the Code of Federal 1202
Regulations, as amended; 1203

(20) A police officer who is employed by an owner or 1204
operator of an amusement park that has an average yearly 1205
attendance in excess of six hundred thousand guests and that 1206
employs and maintains its own proprietary police department or 1207
security department, and who is appointed and commissioned by a 1208
judge of the appropriate municipal court or county court 1209
pursuant to section 4973.17 of the Revised Code; 1210

(21) A police officer who is employed by a bank, savings 1211
and loan association, savings bank, credit union, or association 1212
of banks, savings and loan associations, savings banks, or 1213
credit unions, who has been appointed and commissioned by the 1214
secretary of state pursuant to sections 4973.17 to 4973.22 of 1215
the Revised Code, and who has been awarded a certificate by the 1216
executive director of the Ohio peace officer training commission 1217
attesting to the person's satisfactory completion of a state, 1218
county, municipal, or department of natural resources peace 1219
officer basic training program; 1220

(22) An investigator, as defined in section 109.541 of the 1221
Revised Code, of the bureau of criminal identification and 1222

investigation who is commissioned by the superintendent of the 1223
bureau as a special agent for the purpose of assisting law 1224
enforcement officers or providing emergency assistance to peace 1225
officers pursuant to authority granted under that section; 1226

(23) A state fire marshal law enforcement officer 1227
appointed under section 3737.22 of the Revised Code or a person 1228
serving as a state fire marshal law enforcement officer on a 1229
permanent basis on or after July 1, 1982, who has been awarded a 1230
certificate by the executive director of the Ohio peace officer 1231
training commission attesting to the person's satisfactory 1232
completion of an approved state, county, municipal, or 1233
department of natural resources peace officer basic training 1234
program; 1235

(24) A gaming agent employed under section 3772.03 of the 1236
Revised Code; 1237

(25) An employee of the state board of pharmacy designated 1238
by the executive director of the board pursuant to section 1239
4729.04 of the Revised Code to investigate violations of 1240
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the 1241
Revised Code and rules adopted thereunder. 1242

(B) "Undercover drug agent" has the same meaning as in 1243
division (B) (2) of section 109.79 of the Revised Code. 1244

(C) "Crisis intervention training" means training in the 1245
use of interpersonal and communication skills to most 1246
effectively and sensitively interview victims of rape. 1247

(D) "Missing children" has the same meaning as in section 1248
2901.30 of the Revised Code. 1249

(E) "Tactical medical professional" means an EMT, EMT- 1250
basic, AEMT, EMT-I, paramedic, nurse, or physician who is 1251

trained and certified in a nationally recognized tactical 1252
medical training program that is equivalent to "tactical combat 1253
casualty care" (TCCC) and "tactical emergency medical support" 1254
(TEMS) and who functions in the tactical or austere environment 1255
while attached to a law enforcement agency of either this state 1256
or a political subdivision of this state. 1257

(F) "EMT-basic," "EMT-I," and "paramedic" have the same 1258
meanings as in section 4765.01 of the Revised Code and "EMT" and 1259
"AEMT" have the same meanings as in section 4765.011 of the 1260
Revised Code. 1261

(G) "Nurse" means any of the following: 1262

(1) Any person who is licensed to practice nursing as a 1263
registered nurse by the board of nursing; 1264

(2) Any certified nurse practitioner, clinical nurse 1265
specialist, certified registered nurse anesthetist, or certified 1266
nurse-midwife who holds a certificate of authority issued by the 1267
board of nursing under Chapter 4723. of the Revised Code; 1268

(3) Any person who is licensed to practice nursing as a 1269
licensed practical nurse by the board of nursing pursuant to 1270
Chapter 4723. of the Revised Code. 1271

(H) "Physician" means a person who is licensed pursuant to 1272
Chapter 4731. of the Revised Code to practice medicine and 1273
surgery or osteopathic medicine and surgery. 1274

(I) "County correctional officer" has the same meaning as 1275
in section 341.41 of the Revised Code. 1276

(J) "At-risk youth" means an individual who is all of the 1277
following: 1278

(1) Under twenty-one years of age; 1279

<u>(2) One of the following:</u>	1280
<u>(a) At risk of becoming an abused, neglected, or dependent child, delinquent or unruly child, or juvenile traffic offender;</u>	1281
<u>(b) An abused, neglected, or dependent child, delinquent or unruly child, or juvenile traffic offender.</u>	1282
<u>(3) Residing in a state correctional institution, a department of youth services institution, or a residential facility.</u>	1283
<u>(K) "First responder" means an EMT, EMT-basic, AEMT, EMT-I, paramedic, firefighter, or volunteer firefighter.</u>	1284
<u>(L) "Volunteer firefighter" has the same meaning as in section 146.01 of the Revised Code.</u>	1285
<u>(M) "Residential facility" has the same meaning as in section 2151.46 of the Revised Code.</u>	1286
<u>Sec. 109.7411.</u> (A) <u>The attorney general, in consultation with the Ohio peace officer training commission and department of children and youth, shall adopt, in accordance with Chapter 119. or section 109.74 of the Revised Code, rules governing the training of peace officers and first responders in identifying and interacting with at-risk youth.</u>	1287
<u>(B) The Ohio peace officer training academy shall provide the training described in division (A) of this section to peace officers and first responders at the Ohio peace officer training academy and at approved peace officer training schools.</u>	1288
<u>Sec. 2151.46.</u> <u>As used in sections 2151.46 to 2151.4610 of the Revised Code:</u>	1289
<u>(A) "Community organization" means an organization that</u>	1290

provides services, including recreation, mental health care, and 1307
academic support, for a child placed in foster care. 1308

(B) "Emergency department" includes a hospital emergency 1309
department and freestanding emergency department. 1310

(C) "Freestanding emergency department" has the same 1311
meaning as in section 3727.49 of the Revised Code. 1312

(D) "First responder" means an EMT, EMT-basic, AEMT, EMT- 1313
I, paramedic, firefighter, or volunteer firefighter. 1314

(E) "Law enforcement officer" means a sheriff, deputy 1315
sheriff, constable, police officer of a township or joint police 1316
district, marshal, deputy marshal, municipal police officer, or 1317
state highway patrol trooper. 1318

(F) "Residential facility" has the same meaning as in 1319
section 5103.05 of the Revised Code, except that it applies only 1320
to a residential facility that is operated by a public children 1321
services agency, private child placing agency, private 1322
noncustodial agency, or superintendent of a county or district 1323
children's home for the placement of foster children. 1324

(G) "Volunteer firefighter" has the same meaning as in 1325
section 146.01 of the Revised Code. 1326

Sec. 2151.461. (A) If a child is under the care and 1327
supervision of a residential facility and presents to an 1328
emergency department or is admitted to a hospital for an injury 1329
or mental health crisis, the emergency department or hospital 1330
shall do both of the following: 1331

(1) Communicate with the public children services agency 1332
or private child placing agency with custody of the child about 1333
the visit. Except for care that a child has consented to under 1334

section 2108.31, 2151.85, 2907.29, 3701.242, 3709.241, 3719.012, 1335
5120.172, or 5122.04 of the Revised Code, the emergency 1336
department or hospital shall discuss the child's medical 1337
treatment with and request authorization of care from the 1338
agency. 1339

(2) Notify the agency of the discharge of the child from 1340
the emergency department or hospital. 1341

(B) A public children services agency or private child 1342
placing agency with custody of a child who is under the care and 1343
supervision of a residential facility and presents to an 1344
emergency department or is admitted to a hospital for an injury 1345
or mental health crisis shall do both of the following: 1346

(1) Respond to the emergency department or hospital's 1347
communication regarding medical care for the child not later 1348
than four hours after initial contact; 1349

(2) Retrieve the child not later than four hours after the 1350
emergency department or hospital notifies the agency that the 1351
child has been discharged. 1352

Sec. 2151.462. Notwithstanding Chapter 3798. of the 1353
Revised Code and to the extent permitted by federal law, if a 1354
child is under the care and supervision of a residential 1355
facility and presents to an emergency department or is admitted 1356
to a hospital for an injury or mental health crisis, the 1357
emergency department or hospital shall report the visit to the 1358
Ohio resilience through integrated systems and excellence 1359
(OhioRISE) program, if the child is participating in the 1360
program, and the department of children and youth. 1361

Sec. 2151.463. If a child is under the care and 1362
supervision of a residential facility and has an investigative 1363

interaction with a law enforcement officer, regardless of 1364
whether a police report is generated pertaining to the child, 1365
the law enforcement officer shall notify the operator of the 1366
residential facility and the public children services agency or 1367
private child placing agency with custody of the child of the 1368
interaction. 1369

Sec. 2151.464. If a child is under the care and 1370
supervision of a residential facility and has an interaction 1371
with a law enforcement officer that results in a police report 1372
being generated pertaining to the child, the public children 1373
services agency or private child placing agency with custody of 1374
the child shall report the interaction to the department of 1375
children and youth and provide the department a copy of the 1376
police report. 1377

Sec. 2151.465. Not later than ninety days after the 1378
effective date of this section, the director of children and 1379
youth shall adopt rules in accordance with Chapter 119. of the 1380
Revised Code that establish all of the following: 1381

(A) A standardized procedure under which an emergency 1382
department or hospital or law enforcement officer provides 1383
notification under sections 2151.461 and 2151.463 of the Revised 1384
Code; 1385

(B) Time frames for an emergency department or hospital or 1386
public children services agency or private child placing agency 1387
to provide reports to the department under sections 2151.462 and 1388
2151.464 of the Revised Code; 1389

(C) Standards for the department to track reports provided 1390
to the department under sections 2151.462 and 2151.464 of the 1391
Revised Code. 1392

Sec. 2151.466. Prior to a child's placement in a residential facility, a public children services agency or private child placing agency with custody of a child shall inform the operator of the facility of any charges for which the child was adjudicated a delinquent child, including any former adjudication and any adjudication that resulted in the agency's current custody of the child. A child that has been adjudicated a delinquent child shall be subject to section 5103.055 of the Revised Code.

Sec. 2151.467. (A) A public children services agency or private child placing agency with custody of a child who is under the care and supervision of a residential facility shall conduct a monthly in-person visit to the residential facility to determine the well-being of the child. The agency shall maintain documentation of each visit and report concerns about the child to the department of children and youth in accordance with rules adopted under division (B) of this section.

(B) Not later than ninety days after the effective date of this section, the director of children and youth shall adopt rules in accordance with Chapter 119. of the Revised Code to establish both of the following:

(1) Criteria for determining whether an agency shall report a concern to the department;

(2) Criteria for determining whether an agency shall conduct a mandatory review of the placement of the child pursuant to section 2151.468 of the Revised Code.

Sec. 2151.468. (A) A public children services agency or private child placing agency with custody of a child who is under the care and supervision of a residential facility shall

review the placement of the child if any of the following occur: 1422

(1) The child presents to an emergency department or is 1423
admitted to a hospital for an injury or mental health crisis. 1424

(2) A police report is generated with regard to the child. 1425

(3) During a monthly visit, the agency has determined that 1426
a review is necessary pursuant to rules adopted under section 1427
2151.467 of the Revised Code. 1428

(B) A review of the placement of a child under division 1429
(A) of this section shall include a determination of whether the 1430
residential facility is an appropriate setting and is providing 1431
a satisfactory level of care for the child. 1432

(C) The public children services agency or private child 1433
placing agency shall notify the operator of the residential 1434
facility of the results of a review under division (A) of this 1435
section and any action that the agency plans to take with regard 1436
to the child as a result of the review. 1437

(D) Not later than ninety days after the effective date of 1438
this section, the department of children and youth shall adopt 1439
rules in accordance with Chapter 119. of the Revised Code to 1440
establish guidelines for reviewing the placement of a child 1441
under this section, including review criteria, circumstances 1442
that would require a change in the placement of the child, and a 1443
timeline for conducting review and taking appropriate action. 1444

Sec. 2151.469. Each public children services agency and 1445
private child placing agency shall establish a twenty-four-hour 1446
emergency on-call procedure to respond to contact from emergency 1447
departments, hospitals, law enforcement officers, and first 1448
responders regarding emergencies involving a child in the 1449
agency's custody. 1450

Sec. 2151.4610. (A) The operator of a residential facility shall notify a public children services agency or private child placing agency with custody of a child of any service that a community organization provides to a child under the care and supervision of the residential facility. 1451
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(B) A public children services agency or private child placing agency with custody of a child shall document in the child's case plan any service that a community organization provides to a child under the care and supervision of a residential facility. The agency with custody of the child receiving services from a community organization shall ensure that the community organization is compensated for the services provided. 1456
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Sec. 3301.95. On at least an annual basis, the department of education and workforce shall provide all school districts with best practices to help ensure the educational stability of students who are in the custody of a public children services agency or private child placing agency. 1464
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Sec. 3313.6414. A school district in which a foster child is enrolled after being placed in a residential facility, as defined in section 2151.46 of the Revised Code, shall assess the needs of the child for appropriate services and interventions. The school district shall use the results of that screening to make recommendations to the public children services agency or private child placing agency with custody of the child. 1469
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The school district shall make recommendations for services and interventions for the child based on its assessment and, to the extent permitted by state and federal law, share the recommendations with the public children services agency or private child placing agency with custody of the child and the 1476
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residential facility. 1481

Sec. 5103.039. (A) The department of children and youth 1482
may suspend, without a prior hearing, the certificate of an 1483
institution or association, as defined in section 5103.02 of the 1484
Revised Code, including a foster caregiver, if any of the 1485
following occurs: 1486

(1) A child dies or suffers a serious injury while placed 1487
or residing with the institution or association. 1488

(2) A public children services agency receives a report 1489
pursuant to section 2151.421 of the Revised Code, and the person 1490
alleged to have inflicted abuse or neglect on the child who is 1491
the subject of the report is any of the following: 1492

(a) The owner or administrator of the institution or 1493
association or a foster caregiver; 1494

(b) An employee of the institution or association who has 1495
not immediately been placed on administrative leave or released 1496
from employment; 1497

(c) Any person who resides in the home of the foster 1498
caregiver. 1499

(3) An owner, administrator, or employee of the 1500
institution or association; a foster caregiver; or a resident of 1501
the home of a foster caregiver is charged by an indictment, 1502
information, or complaint with an offense relating to the death, 1503
injury, abuse, or neglect of a child. 1504

(4) The department, the recommending agency, a public 1505
children services agency, or a county department of job and 1506
family services determines that an owner, administrator, 1507
employee, or volunteer of the institution or association; a 1508

foster caregiver; or a resident of the home of the foster 1509
caregiver created a serious risk to the health or safety of a 1510
child placed therein that resulted in or could have resulted in 1511
a child's death or injury. 1512

(5) The department determines that the owner of the 1513
institution or association or foster caregiver does not meet the 1514
requirements of section 2151.86, 5103.0310, or 5103.053 of the 1515
Revised Code. 1516

(B) The department shall serve a written order of 1517
suspension on the owner or foster caregiver as described in 1518
sections 119.05 and 119.07 of the Revised Code. The owner or 1519
foster caregiver may request an adjudicatory hearing before the 1520
department pursuant to sections 119.06 to 119.12 of the Revised 1521
Code. 1522

(C) Any summary suspension imposed under this section 1523
shall remain in effect until any of the following occurs: 1524

(1) The public children services agency completes its 1525
investigation of the report pursuant to section 2151.421 of the 1526
Revised Code and determines that all of the allegations are 1527
unsubstantiated. 1528

(2) All criminal charges are disposed of through dismissal 1529
or a finding of not guilty. 1530

(3) The department issues, pursuant to Chapter 119. of the 1531
Revised Code, a final order terminating the suspension. 1532

(D) An institution or association shall not accept the 1533
placement of children while a summary suspension remains in 1534
effect. Upon issuance of the order of suspension, the department 1535
shall place a hold on the certificate or indicate that the 1536
certificate is suspended in Ohio's statewide automated child 1537

welfare information system. 1538

(E) The director of the department of children and youth 1539
may adopt rules in accordance with Chapter 119. of the Revised 1540
Code to establish standards and procedures for the summary 1541
suspension of certificates. 1542

(F) This section does not limit the authority of the 1543
department to revoke a certificate pursuant to section 5103.03 1544
of the Revised Code. 1545

Sec. 5103.0310. (A) Prior to employing a person or 1546
engaging a subcontractor, intern, or volunteer, an institution 1547
or association, as defined in division (A) (1) (a) of section 1548
5103.02 of the Revised Code, that is a residential facility, as 1549
defined in division ~~(A) (6)~~ (A) (8) of section 5103.05 of the 1550
Revised Code, shall do the following regarding the person, 1551
subcontractor, intern, or volunteer: 1552

(1) Obtain a search of the United States department of 1553
justice national sex offender public web site regarding the 1554
person; 1555

(2) Obtain a summary report of a search of the uniform 1556
statewide automated child welfare information system in 1557
accordance with divisions (A) and (B) of section 5103.18 of the 1558
Revised Code. 1559

(B) An institution or association, as defined in division 1560
(A) (1) (a) of section 5103.02 of the Revised Code, that is not a 1561
residential facility, as defined in division ~~(A) (6)~~ (A) (8) of 1562
section 5103.05 of the Revised Code, shall obtain the search and 1563
summary report described in division (A) of this section before 1564
hiring a person, or engaging a subcontractor, intern, or 1565
volunteer, who will have access to children. 1566

(C) If, at the time of September 30, 2021, the institution 1567
or association has not obtained a report required under division 1568
(A) or (B) of this section for the person, subcontractor, 1569
intern, or volunteer, the institution or association shall 1570
obtain the report. 1571

(D) The institution or association may refuse to employ 1572
the person or engage the subcontractor, intern, or volunteer 1573
based solely on the results of the search described in division 1574
(A) (1) or (B) of this section or the findings of the summary 1575
report described in division (B) (1) (a) of section 5103.18 of the 1576
Revised Code. 1577

(E) The director of children and youth shall adopt rules 1578
in accordance with Chapter 119. of the Revised Code necessary 1579
for the implementation and execution of this section. 1580

Sec. 5103.0329. (A) A recommending agency may submit a 1581
request to the department of children and youth, on a case-by- 1582
case basis only, to waive any non-safety standards for a kinship 1583
caregiver seeking foster home certification. Non-safety 1584
standards include training hours and other requirements under 1585
sections 5103.0317, and 5103.0327, ~~and 5103.0329~~ of the Revised 1586
Code and standards established by rules adopted under sections 1587
5103.03 and 5103.0316 of the Revised Code, in accordance with 42 1588
U.S.C. 671 (a) (10). 1589

(B) "Kinship caregiver" has the same meaning as in section 1590
5101.85 of the Revised Code. 1591

Sec. 5103.05. (A) As used in ~~this section and section~~ 1592
~~5103.051~~ sections 5103.05 to 5103.0515 of the Revised Code: 1593

(1) "Children's residential center" means a facility that 1594
is operated by a private child placing agency, private 1595

noncustodial agency, or public children services agency, that 1596
has been certified by the department of children and youth to 1597
operate a children's residential center, and in which eleven or 1598
more children, including the children of any staff residing at 1599
the facility, are given nonsecure care and supervision twenty- 1600
four hours a day. 1601

(2) "Children's crisis care facility" has the same meaning 1602
as in section 5103.13 of the Revised Code. 1603

(3) "County children's home" means a facility established 1604
under section 5153.21 of the Revised Code. 1605

(4) "District children's home" means a facility 1606
established under section 5153.42 of the Revised Code. 1607

(5) "First responder" means an EMT, EMT-basic, AEMT, EMT- 1608
I, paramedic, firefighter, or volunteer firefighter. 1609

(6) "Group home for children" means any public or private 1610
facility that is operated by a private child placing agency, 1611
private noncustodial agency, or public children services agency, 1612
that has been certified by the department to operate a group 1613
home for children, and that meets all of the following criteria: 1614

(a) Gives, for compensation, a maximum of ten children, 1615
including the children of the operator or any staff who reside 1616
in the facility, nonsecure care and supervision twenty-four 1617
hours a day by a person or persons who are unrelated to the 1618
children by blood or marriage, or who is not the appointed 1619
guardian of any of the children; 1620

(b) Is not certified as a foster home; 1621

(c) Receives or cares for children for two or more 1622
consecutive weeks. 1623

"Group home for children" does not include any facility 1624
that provides care for children from only a single-family group, 1625
placed at the facility by the children's parents or other 1626
relative having custody. 1627

~~(6)~~ (7) "Law enforcement officer" means a sheriff, deputy 1628
sheriff, constable, police officer of a township or joint police 1629
district, marshal, deputy marshal, municipal police officer, or 1630
state highway patrol trooper. 1631

(8) "Residential facility" means a group home for 1632
children, children's crisis care facility, children's 1633
residential center, residential parenting facility that provides 1634
twenty-four-hour child care, county children's home, or district 1635
children's home. A foster home is not a residential facility. 1636

~~(7)~~ (9) "Residential parenting facility" means a facility 1637
operated by a private child placing agency, private noncustodial 1638
agency, or public children services agency, that has been 1639
certified by the department to operate a residential parenting 1640
facility, in which teenage mothers and their children reside for 1641
the purpose of keeping mother and child together, teaching 1642
parenting and life skills to the mother, and assisting teenage 1643
mothers in obtaining educational or vocational training and 1644
skills. 1645

~~(8)~~ (10) "Nonsecure care and supervision" means care and 1646
supervision of a child in a residential facility that does not 1647
confine or prevent movement of the child within the facility or 1648
from the facility. 1649

(11) "Volunteer firefighter" has the same meaning as in 1650
section 146.01 of the Revised Code. 1651

(B) In its application for a certificate, the operator of 1652

a residential facility shall demonstrate, to the satisfaction of 1653
the department of children and youth, that the proposed 1654
residential facility meets all applicable local planning and 1655
zoning requirements. A residential facility shall maintain 1656
compliance with all applicable local planning and zoning 1657
requirements in order for the facility's certificate to remain 1658
in good standing. 1659

(C) Prior to the commencement of operations of a 1660
residential facility, the operator of the facility shall provide 1661
to the board of township trustees or the legislative authority 1662
of the municipal corporation wherein the facility will be 1663
located notification that the facility will be in operation. 1664

(D) Divisions (B) and (C) of this section shall apply only 1665
to a residential facility that is operated by a public children 1666
services agency, private noncustodial agency, private child 1667
placing agency, or superintendent of a county or district 1668
children's home for the placement of foster children. 1669

(E) Within ten days after the commencement of operations 1670
at a residential facility, the facility shall provide the 1671
following to all county, municipal, or township law enforcement 1672
agencies, emergency management agencies, and fire departments 1673
with jurisdiction over the facility: 1674

(1) Written notice that the facility is located and will 1675
be operating in the agency's or department's jurisdiction. The 1676
written notice shall provide the address of the facility, 1677
identify the facility as a group home for children, children's 1678
crisis care facility, children's residential center, residential 1679
parenting facility, county children's home, or district 1680
children's home, and provide contact information for the 1681
facility. 1682

(2) A copy of the facility's procedures for emergencies 1683
and disasters established pursuant to rules adopted under 1684
section 5103.03 of the Revised Code; 1685

(3) A copy of the facility's medical emergency plan 1686
established pursuant to rules adopted under section 5103.03 of 1687
the Revised Code; 1688

(4) A copy of the facility's community engagement plan 1689
established pursuant to rules adopted under section 5103.051 of 1690
the Revised Code. 1691

~~(C)~~ (F) Within ten days of any change to the facility's 1692
information described in divisions ~~(B)~~ ~~(2)~~ (E) (2), (3), and (4) of 1693
this section, the facility shall provide to all county, 1694
municipal, or township law enforcement agencies, emergency 1695
management agencies, and fire departments with jurisdiction over 1696
the facility updated copies of the information required to be 1697
provided under divisions ~~(B)~~ ~~(2)~~ (E) (2), (3), and (4) of this 1698
section. 1699

~~(D)~~ (G) A residential facility that is operated by a 1700
public children services agency, private noncustodial agency, 1701
private child placing agency, or superintendent of a county or 1702
district children's home for the placement of foster children 1703
also shall provide the information described in divisions (E) 1704
and (F) of this section to the board of township trustees or the 1705
legislative authority of the municipal corporation wherein the 1706
facility will be located. 1707

(H) The department may adopt rules in accordance with 1708
Chapter 119. of the Revised Code necessary to implement this 1709
section. 1710

Sec. 5103.051. (A) Each private child placing agency, 1711

private noncustodial agency, public children services agency, or 1712
superintendent of a county or district children's home shall 1713
establish a community engagement plan in accordance with rules 1714
adopted under division (B) of this section for each residential 1715
facility the agency, ~~entity,~~ or ~~superintendent~~ entity operates. 1716

(B) ~~The~~ Not later than ninety days after the effective 1717
date of the amendments to this section, the department of 1718
children and youth shall adopt rules in accordance with Chapter 1719
119. of the Revised Code that establish the following: 1720

(1) The contents of a community engagement plan to be 1721
established under division (A) of this section that includes the 1722
following: 1723

(a) Protocols for the community in which a residential 1724
facility is located to communicate concerns, complaints, or 1725
other pertinent information directly to the agency or entity, 1726
which shall include at a minimum a contact phone number and 1727
email address for the facility; 1728

(b) A requirement for the agency or entity to provide all 1729
applicable information described in division (B)(1)(a) of this 1730
section as follows: 1731

(i) On the internet web site of the agency or entity; 1732

(ii) To any individual that requests the information; and 1733

(iii) To the board of township trustees or the legislative 1734
authority of the municipal corporation wherein the facility is 1735
located. 1736

(c) Protocols for the agency or entity in responding to a 1737
communication made under division (B)(1)(a) of this section, 1738
including a specified time frame for response. 1739

(2) Orientation procedures for training residential 1740
facility staff on the implementation of the community engagement 1741
plan established under division (A) of this section and 1742
procedures for responding to incidents involving a child at the 1743
facility and neighbors or the police. 1744

(3) A process for the agency or entity to report all 1745
concerns and complaints it receives under division (B) (1) (a) of 1746
this section to the department. 1747

(4) Standards under which the department may revoke a 1748
certificate of a facility based on the nature and number of 1749
concerns and complaints against the facility. 1750

Sec. 5103.052. Sections 5103.052 to 5103.0515 of the 1751
Revised Code apply only to a residential facility that is 1752
operated by a public children services agency, private child 1753
placing agency, private noncustodial agency, or superintendent 1754
of a county or district children's home for the placement of 1755
foster children. 1756

Sec. 5103.053. (A) The appointing or hiring officer of a 1757
residential facility that appoints or employs any person in the 1758
residential facility shall request the superintendent of BCII to 1759
conduct a criminal records check with respect to any person who 1760
is under final consideration for appointment or employment in 1761
the residential facility. The request shall be made at the time 1762
of initial application for appointment or employment and every 1763
four years thereafter. 1764

(B) (1) When the appointing or hiring officer requests, at 1765
the time of initial application for appointment or employment, a 1766
criminal records check for a person subject to division (A) of 1767
this section, the officer shall request that the superintendent 1768

of BCII obtain information from the federal bureau of 1769
investigation as part of the criminal records check, including 1770
fingerprint-based checks of national crime information databases 1771
as described in 42 U.S.C. 671, for the person subject to the 1772
criminal records check. In all other cases in which the 1773
appointing or hiring officer requests a criminal records check 1774
for a person pursuant to division (A) of this section, the 1775
officer may request that the superintendent of BCII obtain 1776
information from the federal bureau of investigation as part of 1777
the criminal records check, including fingerprint-based checks 1778
of national crime information databases as described in 42 1779
U.S.C. 671, for the person subject to the criminal records 1780
check. 1781

(2) An appointing or hiring officer required by division 1782
(A) of this section to request a criminal records check shall 1783
provide to each person subject to a criminal records check a 1784
copy of the form prescribed pursuant to division (C)(1) of 1785
section 109.572 of the Revised Code and a standard impression 1786
sheet to obtain fingerprint impressions prescribed pursuant to 1787
division (C)(2) of section 109.572 of the Revised Code, obtain 1788
the completed form and impression sheet from the person, and 1789
forward the completed form and impression sheet to the 1790
superintendent of BCII at the time the criminal records check is 1791
requested. 1792

(3) Any person subject to a criminal records check who 1793
receives pursuant to division (B)(2) of this section a copy of 1794
the form prescribed pursuant to division (C)(1) of section 1795
109.572 of the Revised Code and a copy of an impression sheet 1796
prescribed pursuant to division (C)(2) of that section and who 1797
is requested to complete the form and provide a set of 1798
fingerprint impressions shall complete the form or provide all 1799

the information necessary to complete the form and shall provide 1800
the impression sheet with the impressions of the person's 1801
fingerprints. If a person subject to a criminal records check, 1802
upon request, fails to provide the information necessary to 1803
complete the form or fails to provide impressions of the 1804
person's fingerprints, the appointing or hiring officer shall 1805
not appoint or employ the person in the residential facility. 1806

(C) No appointing or hiring officer shall appoint or 1807
employ a person in the residential facility if the person 1808
previously has been convicted of or pleaded guilty to any of the 1809
violations described in division (A) (4) of section 109.572 of 1810
the Revised Code, unless the person meets rehabilitation 1811
standards established in rules adopted under division (F) of 1812
this section. 1813

(D) The appointing or hiring officer shall pay to the 1814
bureau of criminal identification and investigation the fee 1815
prescribed pursuant to division (C) (3) of section 109.572 of the 1816
Revised Code for each criminal records check conducted in 1817
accordance with that section upon a request pursuant to division 1818
(A) of this section. The officer may charge the person subject 1819
to the criminal records check a fee for the costs the officer 1820
incurs in obtaining the criminal records check. A fee charged 1821
under this division shall not exceed the amount of fees the 1822
officer pays for the criminal records check. If a fee is charged 1823
under this division, the officer shall notify the person who is 1824
the applicant at the time of the person's initial application 1825
for appointment or employment of the amount of the fee and that, 1826
unless the fee is paid, the person who is the applicant will not 1827
be considered for appointment or employment. 1828

(E) The report of any criminal records check conducted by 1829

the bureau of criminal identification and investigation in 1830
accordance with section 109.572 of the Revised Code and pursuant 1831
to a request made under division (A) of this section is not a 1832
public record for the purposes of section 149.43 of the Revised 1833
Code and shall not be made available to any person other than 1834
the following: 1835

(1) The person who is the subject of the criminal records 1836
check or the person's representative; 1837

(2) The appointing or hiring officer requesting the 1838
criminal records check or the officer's representative; 1839

(3) The department of children and youth, a county 1840
department of job and family services, or a public children 1841
services agency; 1842

(4) Any court, hearing officer, or other necessary 1843
individual involved in a case dealing with the denial of 1844
employment. 1845

(F) Not later than ninety days after the effective date of 1846
this section, the director of children and youth shall adopt 1847
rules in accordance with Chapter 119. of the Revised Code to 1848
implement this section. The rules shall include rehabilitation 1849
standards a person who has been convicted of or pleaded guilty 1850
to an offense listed in division (A)(4) of section 109.572 of 1851
the Revised Code must meet for an appointing or hiring officer 1852
to appoint or employ the person in the residential facility. 1853

(G) An appointing or hiring officer required by division 1854
(A) of this section to request a criminal records check shall 1855
inform each person who is the applicant, at the time of the 1856
person's initial application for appointment or employment that 1857
the person subject to the criminal records check is required to 1858

provide a set of impressions of the person's fingerprints and 1859
that a criminal records check is required to be conducted and 1860
satisfactorily completed in accordance with section 109.572 of 1861
the Revised Code. 1862

(H) As used in this section: 1863

(1) "Criminal records check" has the same meaning as in 1864
section 109.572 of the Revised Code. 1865

(2) "Person subject to a criminal records check" means a 1866
person who is under final consideration for appointment or 1867
employment in the residential facility; 1868

(3) "Superintendent of BCII" means the superintendent of 1869
the bureau of criminal identification and investigation. 1870

Sec. 5103.054. (A) Not later than ninety days after the 1871
effective date of this section, the department of children and 1872
youth shall adopt rules in accordance with Chapter 119. of the 1873
Revised Code that do all of the following: 1874

(1) Divide the state into regions; 1875

(2) Restrict the number of residential facilities in each 1876
region so that the percentage of residential facilities in that 1877
region to the total number of residential facilities in the 1878
state does not exceed the percentage of children in foster care 1879
in the region to the total number of children in foster care in 1880
the state. 1881

(3) Establish incentives to attract residential facilities 1882
to regions in the state that are below the maximum threshold 1883
pursuant to the formula in division (A) (2) of this section in 1884
order to enable a child to remain within, or close to, the 1885
county in which the child resided prior to the child's placement 1886

in foster care. 1887

(B) The department of children and youth shall not approve 1888
the certification of a residential facility in a region if the 1889
maximum threshold of residential facilities within that region 1890
in accordance with rules established under division (A) of this 1891
section would be exceeded as a result of the approval. 1892

Sec. 5103.055. (A) A child who has been adjudicated a 1893
delinquent child and is in the custody of a public children 1894
services agency or private child placing agency shall be placed 1895
in a specialized residential facility, regardless of whether the 1896
child is in the custody of the agency as a result of the 1897
adjudication. A child who has been adjudicated a delinquent 1898
child shall not be placed in a residential facility with a child 1899
who has not been adjudicated a delinquent child. 1900

(B) Not later than ninety days after the effective date of 1901
this section, the department of children and youth shall adopt 1902
rules in accordance with Chapter 119. of the Revised Code to 1903
establish additional standards, including additional training 1904
requirements, for a specialized residential facility for 1905
children who have been adjudicated delinquent children. The 1906
additional standards shall reflect the increased level of care 1907
and supervision required for children who have been adjudicated 1908
delinquent children. 1909

Sec. 5103.056. If the department of children and youth has 1910
determined that a residential facility has violated a 1911
requirement for certification and issues a corrective action 1912
plan for the facility to remedy the violation, the operator of 1913
the facility shall provide documentary evidence of the 1914
correction. Self-attestation of the correction without 1915
documentary evidence shall not be sufficient proof of correction 1916

of the violation. 1917

Sec. 5103.057. (A) A county, township, or municipal 1918
corporation may revoke any conditional use permit issued by the 1919
county, township, or municipal corporation respecting real 1920
property used as a residential facility, if the operator of the 1921
facility fails to comply with the requirements of the permit or 1922
has failed to fulfill the requirements of a corrective action 1923
plan issued by the department of children and youth for a 1924
finding of noncompliance. The department may provide 1925
notification of the failure to fulfill the requirements of a 1926
corrective action plan to the county, township, or municipal 1927
corporation. 1928

(B) The county, township, or municipal corporation shall 1929
notify the holder of the permit either by certified mail or, if 1930
the county, township, or municipal corporation has record of an 1931
internet identifier of record associated with the holder, by 1932
ordinary mail and by that internet identifier of record of its 1933
intent to revoke the permit under division (A) of this section 1934
and of the holder's right to a hearing before the county, 1935
township, or municipal corporation, within thirty days of the 1936
mailing of the notice, if the holder so requests. If the holder 1937
requests a hearing, the county, township, or municipal 1938
corporation shall set a time and place for the hearing and 1939
notify the holder. At the hearing, the holder may appear in 1940
person, by the holder's attorney, or by other representative, or 1941
the holder may present the holder's position in writing. The 1942
holder may present evidence and examine witnesses appearing for 1943
or against the holder. If no hearing is requested, the county, 1944
township, or municipal corporation may revoke the permit without 1945
a hearing. The authority to revoke a permit is in addition to 1946
any other means of zoning enforcement provided by law. 1947

(C) As used in this section, "internet identifier of record" has the same meaning as in section 9.312 of the Revised Code. 1948
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Sec. 5103.058. (A) The department of children and youth shall conduct a site visit of a residential facility at least annually to ensure certification compliance. The department may conduct a site visit more than once a year in accordance with rules adopted under division (B) of this section. The department is not required to provide advance notification to the residential facility of a site visit. 1951
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(B) Not later than ninety days after the effective date of this section, the director of children and youth shall adopt rules in accordance with Chapter 119. of the Revised Code to establish criteria for requiring more than one site visit per year under division (A) of this section. The rules shall specify that a residential facility is subject to more than one site visit per year after surpassing a threshold, to be determined by the director, of reports received under sections 2151.462 and 2151.464 of the Revised Code and concerns and complaints received under section 2151.467 and division (B) (1) (a) of section 5103.051 of the Revised Code regarding the facility. 1958
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Sec. 5103.0510. Each operator of a residential facility shall establish a twenty-four-hour emergency on-call procedure to respond to contact from hospitals, law enforcement officers, and first responders regarding emergencies involving a child under the care and supervision of the facility. 1969
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Sec. 5103.0512. (A) Not later than one year after the effective date of this section and annually thereafter, the department of children and youth shall survey staff of all residential facilities and of public children services agencies 1974
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and private child placing agencies working with children under 1978
the care and supervision of residential facilities regarding the 1979
status of these children. The survey shall examine concerns 1980
regarding residential facility operations, the children residing 1981
in the facility, and the staff working within and overseeing the 1982
facility. 1983

(B) The director of children and youth shall, on an annual 1984
basis, do both of the following: 1985

(1) Review all reports received under sections 2151.462 1986
and 2151.464 of the Revised Code, concerns and complaints 1987
received under section 2151.467 and division (B) (1) (a) of 1988
section 5103.051 of the Revised Code, and the results of the 1989
survey conducted under division (A) of this section; 1990

(2) Review Chapter 5101:2-9 of the Ohio Administrative 1991
Code to determine whether the training requirements are 1992
adequately responsive to the needs of residential facilities, 1993
based on the results of the review under division (B) (1) of this 1994
section. 1995

(C) If the director determines that Chapter 5101:2-9 of 1996
the Ohio Administrative Code should be updated pursuant to a 1997
review under division (B) (2) of this section, the director shall 1998
adopt or modify rules in accordance with Chapter 119. of the 1999
Revised Code. 2000

Sec. 5103.0513. (A) Not later than thirty days after the 2001
effective date of this section, the department of children and 2002
youth, in conjunction with the department of education and 2003
workforce, shall create a standard form to be used by a public 2004
children services agency or private child placing agency with 2005
custody of a child placed in a residential facility to convey 2006

information necessary to support the child's education. 2007

(B) (1) A public children services agency or private child placing agency with custody of a child shall complete the form under division (A) of this section for each child the agency places in a residential facility outside the county of the child's school district of residence. 2008
2009
2010
2011
2012

(2) The agency shall convey the information to the foster care liaison in a student's new school district verbally upon enrolling the child. Not later than five days after a child's enrollment in the new school district, the agency shall submit the form completed under division (B) (1) of this section to the district's foster care liaison. 2013
2014
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2016
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2018

Sec. 5103.0514. Not later than one year after the effective date of this section, the director of children and youth shall conduct a study and submit a report to the general assembly that includes the following: 2019
2020
2021
2022

(A) Identification of gaps in service that exist for foster children in the state and recommendations on how to fill those gaps, including both of the following: 2023
2024
2025

(1) A determination of whether the foster care system in the state should be tiered, based on the needs of a child, including a tiered certification system for residential facilities and foster homes, with additional requirements imposed on residential facilities and specialized foster homes that are able to provide more specialized levels of care and treatment in order to serve children with higher needs; 2026
2027
2028
2029
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2031
2032

(2) Recommendations on how to establish residential facilities that are appropriate to meet the needs of high-acuity foster children. 2033
2034
2035

(B) Recommendations on how to update the criteria for 2036
revoking the certificate of a residential facility in order to 2037
increase accountability and meet a satisfactory level of care 2038
for children residing in the facility. In making 2039
recommendations, the department shall take into consideration 2040
reports it receives under sections 2151.462 and 2151.464 of the 2041
Revised Code and concerns and complaints received under section 2042
2151.467 and division (B) (1) (a) of section 5103.051 of the 2043
Revised Code and how the number of reports, concerns, and 2044
complaints regarding a residential facility should impact the 2045
facility's certification status. 2046

Sec. 5103.0515. Not later than one year after the 2047
effective date of this section and each year thereafter, the 2048
director of children and youth shall submit a report to the 2049
general assembly that includes all of the following: 2050

(A) The number of residential facilities in each county of 2051
the state; 2052

(B) The total number of children under the care and 2053
supervision of residential facilities in each county; 2054

(C) From the number of children in division (B) of this 2055
section, the number of children who resided within the county 2056
and the number of children who resided in a different county 2057
prior to being placed in a residential facility within the 2058
county; 2059

(D) The results of the survey conducted under section 2060
5103.0512 of the Revised Code, provided that any identifying 2061
information is redacted. 2062

Section 2. That existing sections 109.57, 109.572, 109.71, 2063
5103.0310, 5103.0329, 5103.05, and 5103.051 of the Revised Code 2064

are hereby repealed.

2065

Section 3. Sections 5103.0310, 5103.0329, 5103.05, and
5103.051 of the Revised Code, as amended by this act, take
effect on January 1, 2025, or on the effective date of this
section, whichever is later.

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