

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 357

Representative Ghanbari

A BILL

To enact sections 5502.81, 5502.82, 5502.83, 1
5502.84, and 5502.85 of the Revised Code to 2
enact the Safe and Reliable Texting Act. 3

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

Section 1. That sections 5502.81, 5502.82, 5502.83, 4
5502.84, and 5502.85 of the Revised Code be enacted to read as 5
follows: 6

Sec. 5502.81. As used in sections 5502.81 to 5502.85 of 7
the Revised Code: 8

(A) "Group messaging" means the use of a United States 9
phone number linked mobile texting service to send a text 10
message to more than one recipient at a time. 11

(B) "Person" means any natural person, trust, firm, joint 12
stock company, corporation, company, partnership, limited 13
liability company, association, or decentralized autonomous 14
organization. 15

(C) "United States phone number linked mobile texting 16
service" means the default software on a smartphone that enables 17
consumers to send text messages to and receive text messages 18

from, all or substantially all, text-capable United States 19
telephone numbers. 20

Sec. 5502.82. A United States phone number linked mobile 21
texting service shall do both of the following not later than 22
six months after the effective date of the rules adopted under 23
section 5502.85 of the Revised Code: 24

(A) Implement the following security protections when 25
exchanging text messages, including for group messaging, and 26
when sending between iOS and Android OS: 27

(1) Encryption of the data being transmitted; 28

(2) Transmission and receipt of photos, videos, or other 29
media in their original quality without degradation; 30

(3) Real-time notification of the sender when the 31
recipient has viewed the message, if the recipient has enabled 32
the sending of the real-time notification to the sender; 33

(4) Real-time, graphical notification of a potential 34
recipient when a potential sender is typing a message to that 35
potential recipient; 36

(5) Support for message transmission over internet 37
protocol based networks, which connect to end-user devices via 38
cellular network or wi-fi systems. 39

(B) In selecting from among communications networks that 40
are available to exchange a message with another device, as 41
configured by the user of the device exchanging the message at 42
the time of the exchange, use a network that supports the 43
security protections in division (A) of this section whenever 44
possible. 45

Sec. 5502.83. The attorney general may bring a civil 46

action against any person to enforce section 5502.82 of the 47
Revised Code in any court of common pleas having jurisdiction 48
over the person. 49

Sec. 5502.84. If a court determines that there has been a 50
violation of section 5502.82 of the Revised Code, then the court 51
shall do both of the following: 52

(A) Issue an order immediately enjoining the unlawful 53
activity and requiring the defendant to comply with section 54
5502.82 of the Revised Code; 55

(B) Impose a forfeiture of ten dollars per user per month 56
in which the United States phone number linked mobile texting 57
service was in violation of section 5502.82 of the Revised Code. 58

Sec. 5502.85. The director of public safety shall adopt 59
rules to implement sections 5502.81 to 5502.84 of the Revised 60
Code not later than ninety days after the effective date of this 61
section. 62

Section 2. This act shall be known as the Safe and 63
Reliable Texting Act. 64