

As Reported by the House Civil Justice Committee

135th General Assembly

Regular Session

2023-2024

Sub. S. B. No. 32

Senator Schaffer

Cosponsors: Senators Cirino, Johnson, Manning, Antani, Antonio, Brenner, Chavez, Craig, Cutrona, Gavarone, Hackett, Hicks-Hudson, Huffman, S., Kunze, Landis, Lang, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Wilkin

A BILL

To amend sections 121.22, 122.66, 122.70, 1901.31, 1
2303.12, 2303.26, 2329.01, 2329.44, 2923.126, 2
3314.03, 3326.11, 3328.24, 4707.101, and 5721.20 3
and to enact sections 2307.221 and 3319.48 of 4
the Revised Code to generally grant civil 5
immunity for certain injuries to a person who 6
acts in self-defense or defense of another 7
during the commission, or imminent commission, 8
of an offense of violence to protect the members 9
or guests of a nonprofit corporation under 10
certain circumstances; to modify the laws 11
governing community action agencies; to modify 12
the law regarding the storage, maintenance, and 13
retrieval of all papers delivered to the clerk 14
of courts; to revise the law relating to the 15
notice of excess funds in real property 16
foreclosure sales; to exempt certain licensed 17
auctioneers from continuing education 18
requirements; and to enact the Creating a 19
Respectful and Open World for Natural Hair 20
(CROWN) Act prohibiting discrimination by a 21

public school against an individual based on 22
hair texture and protective hair styles. 23

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

Section 1. That sections 121.22, 122.66, 122.70, 1901.31, 24
2303.12, 2303.26, 2329.01, 2329.44, 2923.126, 3314.03, 3326.11, 25
3328.24, 4707.101, and 5721.20 be amended and sections 2307.221 26
and 3319.48 of the Revised Code be enacted to read as follows: 27

Sec. 121.22. (A) This section shall be liberally construed 28
to require public officials to take official action and to 29
conduct all deliberations upon official business only in open 30
meetings unless the subject matter is specifically excepted by 31
law. 32

(B) As used in this section: 33

(1) "Public body" means any of the following: 34

(a) Any board, commission, committee, council, or similar 35
decision-making body of a state agency, institution, or 36
authority, and any legislative authority or board, commission, 37
committee, council, agency, authority, or similar decision- 38
making body of any county, township, municipal corporation, 39
school district, or other political subdivision or local public 40
institution; 41

(b) Any committee or subcommittee of a body described in 42
division (B) (1) (a) of this section; 43

(c) A court of jurisdiction of a sanitary district 44
organized wholly for the purpose of providing a water supply for 45
domestic, municipal, and public use when meeting for the purpose 46

of the appointment, removal, or reappointment of a member of the 47
board of directors of such a district pursuant to section 48
6115.10 of the Revised Code, if applicable, or for any other 49
matter related to such a district other than litigation 50
involving the district. As used in division (B)(1)(c) of this 51
section, "court of jurisdiction" has the same meaning as "court" 52
in section 6115.01 of the Revised Code. 53

(2) "Meeting" means any prearranged discussion of the 54
public business of the public body by a majority of its members. 55

(3) "Regulated individual" means either of the following: 56

(a) A student in a state or local public educational 57
institution; 58

(b) A person who is, voluntarily or involuntarily, an 59
inmate, patient, or resident of a state or local institution 60
because of criminal behavior, mental illness, an intellectual 61
disability, disease, disability, age, or other condition 62
requiring custodial care. 63

(4) "Public office" has the same meaning as in section 64
149.011 of the Revised Code. 65

(C) All meetings of any public body are declared to be 66
public meetings open to the public at all times. A member of a 67
public body shall be present in person at a meeting open to the 68
public to be considered present or to vote at the meeting and 69
for purposes of determining whether a quorum is present at the 70
meeting. 71

The minutes of a regular or special meeting of any public 72
body shall be promptly prepared, filed, and maintained and shall 73
be open to public inspection. The minutes need only reflect the 74
general subject matter of discussions in executive sessions 75

authorized under division (G) or (J) of this section.	76
(D) This section does not apply to any of the following:	77
(1) A grand jury;	78
(2) An audit conference conducted by the auditor of state	79
or independent certified public accountants with officials of	80
the public office that is the subject of the audit;	81
(3) The adult parole authority when its hearings are	82
conducted at a correctional institution for the sole purpose of	83
interviewing inmates to determine parole or pardon and the	84
department of rehabilitation and correction when its hearings	85
are conducted at a correctional institution for the sole purpose	86
of making determinations under section 2967.271 of the Revised	87
Code regarding the release or maintained incarceration of an	88
offender to whom that section applies;	89
(4) The organized crime investigations commission	90
established under section 177.01 of the Revised Code;	91
(5) Meetings of a child fatality review board established	92
under section 307.621 of the Revised Code, meetings related to a	93
review conducted pursuant to guidelines established by the	94
director of health under section 3701.70 of the Revised Code,	95
and meetings conducted pursuant to sections 5153.171 to 5153.173	96
of the Revised Code;	97
(6) The state medical board when determining whether to	98
suspend a license or certificate without a prior hearing	99
pursuant to division (G) of either section 4730.25 or 4731.22 of	100
the Revised Code;	101
(7) The board of nursing when determining whether to	102
suspend a license or certificate without a prior hearing	103

pursuant to division (B) of section 4723.281 of the Revised Code;	104 105
(8) The state board of pharmacy when determining whether to do either of the following:	106 107
(a) Suspend a license, certification, or registration without a prior hearing, including during meetings conducted by telephone conference, pursuant to Chapters 3719., 3796., 4729., and 4752. of the Revised Code and rules adopted thereunder; or	108 109 110 111
(b) Restrict a person from obtaining further information from the drug database established in section 4729.75 of the Revised Code without a prior hearing pursuant to division (C) of section 4729.86 of the Revised Code.	112 113 114 115
(9) The state chiropractic board when determining whether to suspend a license without a hearing pursuant to section 4734.37 of the Revised Code;	116 117 118
(10) The executive committee of the emergency response commission when determining whether to issue an enforcement order or request that a civil action, civil penalty action, or criminal action be brought to enforce Chapter 3750. of the Revised Code;	119 120 121 122 123
(11) The board of directors of the nonprofit corporation formed under section 187.01 of the Revised Code or any committee thereof, and the board of directors of any subsidiary of that corporation or a committee thereof;	124 125 126 127
(12) An audit conference conducted by the audit staff of the department of job and family services with officials of the public office that is the subject of that audit under section 5101.37 of the Revised Code;	128 129 130 131

(13) The occupational therapy section of the occupational therapy, physical therapy, and athletic trainers board when determining whether to suspend a license without a hearing pursuant to division (E) of section 4755.11 of the Revised Code;	132 133 134 135
(14) The physical therapy section of the occupational therapy, physical therapy, and athletic trainers board when determining whether to suspend a license without a hearing pursuant to division (F) of section 4755.47 of the Revised Code;	136 137 138 139
(15) The athletic trainers section of the occupational therapy, physical therapy, and athletic trainers board when determining whether to suspend a license without a hearing pursuant to division (E) of section 4755.64 of the Revised Code;	140 141 142 143
(16) Meetings of the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code;	144 145
(17) Meetings of a fetal-infant mortality review board established under section 3707.71 of the Revised Code;	146 147
(18) Meetings of a drug overdose fatality review committee described in section 307.631 of the Revised Code;	148 149
(19) Meetings of a suicide fatality review committee described in section 307.641 of the Revised Code;	150 151
(20) Meetings of the officers, members, or directors of an existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code, at which the public business of the corporation pertaining to a purpose for which the district is created is not discussed;	152 153 154 155 156
(21) Meetings of a domestic violence fatality review board established under section 307.651 of the Revised Code;	157 158
<u>(22) Any nonprofit agency that has received an endorsement</u>	159

<u>under section 122.69 of the Revised Code.</u>	160
(E) The controlling board, the tax credit authority, or	161
the minority development financing advisory board, when meeting	162
to consider granting assistance pursuant to Chapter 122. or 166.	163
of the Revised Code, in order to protect the interest of the	164
applicant or the possible investment of public funds, by	165
unanimous vote of all board or authority members present, may	166
close the meeting during consideration of the following	167
information confidentially received by the authority or board	168
from the applicant:	169
(1) Marketing plans;	170
(2) Specific business strategy;	171
(3) Production techniques and trade secrets;	172
(4) Financial projections;	173
(5) Personal financial statements of the applicant or	174
members of the applicant's immediate family, including, but not	175
limited to, tax records or other similar information not open to	176
public inspection.	177
The vote by the authority or board to accept or reject the	178
application, as well as all proceedings of the authority or	179
board not subject to this division, shall be open to the public	180
and governed by this section.	181
(F) Every public body, by rule, shall establish a	182
reasonable method whereby any person may determine the time and	183
place of all regularly scheduled meetings and the time, place,	184
and purpose of all special meetings. A public body shall not	185
hold a special meeting unless it gives at least twenty-four	186
hours' advance notice to the news media that have requested	187

notification, except in the event of an emergency requiring 188
immediate official action. In the event of an emergency, the 189
member or members calling the meeting shall notify the news 190
media that have requested notification immediately of the time, 191
place, and purpose of the meeting. 192

The rule shall provide that any person, upon request and 193
payment of a reasonable fee, may obtain reasonable advance 194
notification of all meetings at which any specific type of 195
public business is to be discussed. Provisions for advance 196
notification may include, but are not limited to, mailing the 197
agenda of meetings to all subscribers on a mailing list or 198
mailing notices in self-addressed, stamped envelopes provided by 199
the person. 200

(G) Except as provided in divisions (G) (8) and (J) of this 201
section, the members of a public body may hold an executive 202
session only after a majority of a quorum of the public body 203
determines, by a roll call vote, to hold an executive session 204
and only at a regular or special meeting for the sole purpose of 205
the consideration of any of the following matters: 206

(1) To consider the appointment, employment, dismissal, 207
discipline, promotion, demotion, or compensation of a public 208
employee or official, or the investigation of charges or 209
complaints against a public employee, official, licensee, or 210
regulated individual, unless the public employee, official, 211
licensee, or regulated individual requests a public hearing. 212
Except as otherwise provided by law, no public body shall hold 213
an executive session for the discipline of an elected official 214
for conduct related to the performance of the elected official's 215
official duties or for the elected official's removal from 216
office. If a public body holds an executive session pursuant to 217

division (G) (1) of this section, the motion and vote to hold 218
that executive session shall state which one or more of the 219
approved purposes listed in division (G) (1) of this section are 220
the purposes for which the executive session is to be held, but 221
need not include the name of any person to be considered at the 222
meeting. 223

(2) To consider the purchase of property for public 224
purposes, the sale of property at competitive bidding, or the 225
sale or other disposition of unneeded, obsolete, or unfit-for- 226
use property in accordance with section 505.10 of the Revised 227
Code, if premature disclosure of information would give an 228
unfair competitive or bargaining advantage to a person whose 229
personal, private interest is adverse to the general public 230
interest. No member of a public body shall use division (G) (2) 231
of this section as a subterfuge for providing covert information 232
to prospective buyers or sellers. A purchase or sale of public 233
property is void if the seller or buyer of the public property 234
has received covert information from a member of a public body 235
that has not been disclosed to the general public in sufficient 236
time for other prospective buyers and sellers to prepare and 237
submit offers. 238

If the minutes of the public body show that all meetings 239
and deliberations of the public body have been conducted in 240
compliance with this section, any instrument executed by the 241
public body purporting to convey, lease, or otherwise dispose of 242
any right, title, or interest in any public property shall be 243
conclusively presumed to have been executed in compliance with 244
this section insofar as title or other interest of any bona fide 245
purchasers, lessees, or transferees of the property is 246
concerned. 247

(3) Conferences with an attorney for the public body	248
concerning disputes involving the public body that are the	249
subject of pending or imminent court action;	250
(4) Preparing for, conducting, or reviewing negotiations	251
or bargaining sessions with public employees concerning their	252
compensation or other terms and conditions of their employment;	253
(5) Matters required to be kept confidential by federal	254
law or regulations or state statutes;	255
(6) Details relative to the security arrangements and	256
emergency response protocols for a public body or a public	257
office, if disclosure of the matters discussed could reasonably	258
be expected to jeopardize the security of the public body or	259
public office;	260
(7) In the case of a county hospital operated pursuant to	261
Chapter 339. of the Revised Code, a joint township hospital	262
operated pursuant to Chapter 513. of the Revised Code, or a	263
municipal hospital operated pursuant to Chapter 749. of the	264
Revised Code, to consider trade secrets, as defined in section	265
1333.61 of the Revised Code;	266
(8) To consider confidential information related to the	267
marketing plans, specific business strategy, production	268
techniques, trade secrets, or personal financial statements of	269
an applicant for economic development assistance, or to	270
negotiations with other political subdivisions respecting	271
requests for economic development assistance, provided that both	272
of the following conditions apply:	273
(a) The information is directly related to a request for	274
economic development assistance that is to be provided or	275
administered under any provision of Chapter 715., 725., 1724.,	276

or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 277
5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 278
5709.81 of the Revised Code, or that involves public 279
infrastructure improvements or the extension of utility services 280
that are directly related to an economic development project. 281

(b) A unanimous quorum of the public body determines, by a 282
roll call vote, that the executive session is necessary to 283
protect the interests of the applicant or the possible 284
investment or expenditure of public funds to be made in 285
connection with the economic development project. 286

If a public body holds an executive session to consider 287
any of the matters listed in divisions (G) (2) to (8) of this 288
section, the motion and vote to hold that executive session 289
shall state which one or more of the approved matters listed in 290
those divisions are to be considered at the executive session. 291

A public body specified in division (B) (1) (c) of this 292
section shall not hold an executive session when meeting for the 293
purposes specified in that division. 294

(H) A resolution, rule, or formal action of any kind is 295
invalid unless adopted in an open meeting of the public body. A 296
resolution, rule, or formal action adopted in an open meeting 297
that results from deliberations in a meeting not open to the 298
public is invalid unless the deliberations were for a purpose 299
specifically authorized in division (G) or (J) of this section 300
and conducted at an executive session held in compliance with 301
this section. A resolution, rule, or formal action adopted in an 302
open meeting is invalid if the public body that adopted the 303
resolution, rule, or formal action violated division (F) of this 304
section. 305

(I) (1) Any person may bring an action to enforce this 306
section. An action under division (I) (1) of this section shall 307
be brought within two years after the date of the alleged 308
violation or threatened violation. Upon proof of a violation or 309
threatened violation of this section in an action brought by any 310
person, the court of common pleas shall issue an injunction to 311
compel the members of the public body to comply with its 312
provisions. 313

(2) (a) If the court of common pleas issues an injunction 314
pursuant to division (I) (1) of this section, the court shall 315
order the public body that it enjoins to pay a civil forfeiture 316
of five hundred dollars to the party that sought the injunction 317
and shall award to that party all court costs and, subject to 318
reduction as described in division (I) (2) of this section, 319
reasonable attorney's fees. The court, in its discretion, may 320
reduce an award of attorney's fees to the party that sought the 321
injunction or not award attorney's fees to that party if the 322
court determines both of the following: 323

(i) That, based on the ordinary application of statutory 324
law and case law as it existed at the time of violation or 325
threatened violation that was the basis of the injunction, a 326
well-informed public body reasonably would believe that the 327
public body was not violating or threatening to violate this 328
section; 329

(ii) That a well-informed public body reasonably would 330
believe that the conduct or threatened conduct that was the 331
basis of the injunction would serve the public policy that 332
underlies the authority that is asserted as permitting that 333
conduct or threatened conduct. 334

(b) If the court of common pleas does not issue an 335

injunction pursuant to division (I)(1) of this section and the 336
court determines at that time that the bringing of the action 337
was frivolous conduct, as defined in division (A) of section 338
2323.51 of the Revised Code, the court shall award to the public 339
body all court costs and reasonable attorney's fees, as 340
determined by the court. 341

(3) Irreparable harm and prejudice to the party that 342
sought the injunction shall be conclusively and irrebuttably 343
presumed upon proof of a violation or threatened violation of 344
this section. 345

(4) A member of a public body who knowingly violates an 346
injunction issued pursuant to division (I)(1) of this section 347
may be removed from office by an action brought in the court of 348
common pleas for that purpose by the prosecuting attorney or the 349
attorney general. 350

(J)(1) Pursuant to division (C) of section 5901.09 of the 351
Revised Code, a veterans service commission shall hold an 352
executive session for one or more of the following purposes 353
unless an applicant requests a public hearing: 354

(a) Interviewing an applicant for financial assistance 355
under sections 5901.01 to 5901.15 of the Revised Code; 356

(b) Discussing applications, statements, and other 357
documents described in division (B) of section 5901.09 of the 358
Revised Code; 359

(c) Reviewing matters relating to an applicant's request 360
for financial assistance under sections 5901.01 to 5901.15 of 361
the Revised Code. 362

(2) A veterans service commission shall not exclude an 363
applicant for, recipient of, or former recipient of financial 364

assistance under sections 5901.01 to 5901.15 of the Revised Code, and shall not exclude representatives selected by the applicant, recipient, or former recipient, from a meeting that the commission conducts as an executive session that pertains to the applicant's, recipient's, or former recipient's application for financial assistance.

(3) A veterans service commission shall vote on the grant or denial of financial assistance under sections 5901.01 to 5901.15 of the Revised Code only in an open meeting of the commission. The minutes of the meeting shall indicate the name, address, and occupation of the applicant, whether the assistance was granted or denied, the amount of the assistance if assistance is granted, and the votes for and against the granting of assistance.

Sec. 122.66. As used in sections 122.66 to 122.702 of the Revised Code:

(A) "Poverty line" means the official poverty line established by the director of the United States office of management and budget and as revised by the secretary of health and human services in accordance with section 673(2) of the "Community Services Block Grant Act," 95 Stat. 1609, 42 U.S.C.A. 9902.

(B) "Low-income person" means a person whose adjusted gross income as defined in division (A) of section 5747.01 of the Revised Code is below the poverty line as defined in division (A) of this section.

(C) "Advocacy" means the act of pleading for, supporting, or recommending actions on behalf of low-income persons.

(D) "Community action agency" means a community-based and

operated private nonprofit agency or organization incorporated 394
under Chapter 1702. of the Revised Code that includes or is 395
designed to include a sufficient number of projects or 396
components to provide a range of services and activities having 397
a measurable and potentially major impact on the causes of 398
poverty in the community or those areas of the community where 399
poverty is a particularly acute problem and is designated as a 400
community action agency by the community services division 401
pursuant to sections 122.68 and 122.69 of the Revised Code. A 402
"community action agency" is not a state agency or public 403
office. 404

(E) "Community" means a city, village, county, multicity 405
or multicounty unit, a neighborhood or other area, disregarding 406
boundaries or political subdivisions, which provides a suitable 407
organizational base and possesses a commonality of needs and 408
interests for a community action program suitable to be served 409
by a community action agency. 410

(F) "Service area" means the geographical area served by a 411
community action agency. 412

Sec. 122.70. The board of directors of a community action 413
agency shall: 414

(A) Select, appoint, and may remove the executive director 415
of the community action agency; 416

(B) Approve contracts, annual program budgets, and 417
policies of the community action agency; 418

(C) Advise the elected officials of any political 419
subdivision located within its service area, and state and 420
federal elected officials who represent its service area, of the 421
nature and extent of poverty within its community, and advise 422

them of any needed changes;	423
(D) Convene public meetings to provide community members	424
the opportunity to comment on public policies and programs to	425
reduce poverty;	426
(E) Annually evaluate the policies and programs of the	427
community action agency according to criteria determined by	428
<u>department of development services agency rule;</u>	429
(F) Submit the results of the evaluation required by	430
division (E) of this section, along with recommendations for	431
improved administration of the community action agency, to the	432
community services division;	433
(G) Adopt a code of ethics for the board of directors and	434
the employees of the community action agency;	435
(H) Adopt written policies describing all of the	436
following:	437
(1) How the community action agency is to expend and	438
distribute the community services block grant funds that it	439
receives from the division under sections 122.68 and 122.69 of	440
the Revised Code;	441
(2) The salary, benefits, travel expenses, and any other	442
compensation that persons are to receive for serving on the	443
community action agency's board of directors;	444
(3) The operating procedures to be used by the board to	445
conduct its meetings, to vote on all official business it	446
considers, and to provide notice of its meetings.	447
<u>The written operating procedures described in this</u>	448
<u>division shall specify the methods by which the board may</u>	449
<u>conduct meetings using virtual electronic technology, and shall</u>	450

specify that the board may provide notice of its meetings by any 451
means deemed appropriate to the board. 452

(I) Provide for the posting of notices in a conspicuous 453
place indicating that the code of ethics described in division 454
(G) of this section and the policies described in division (H) 455
of this section are available for public inspection at the 456
community action agency during normal business hours. 457

Sec. 1901.31. The clerk and deputy clerks of a municipal 458
court shall be selected, be compensated, give bond, and have 459
powers and duties as follows: 460

(A) There shall be a clerk of the court who is appointed 461
or elected as follows: 462

(1)(a) Except in the Akron, Barberton, Toledo, Columbiana 463
county, Hamilton county, Miami county, Montgomery county, 464
Portage county, and Wayne county municipal courts and through 465
December 31, 2008, the Cuyahoga Falls municipal court, if the 466
population of the territory equals or exceeds one hundred 467
thousand at the regular municipal election immediately preceding 468
the expiration of the term of the present clerk, the clerk shall 469
be nominated and elected by the qualified electors of the 470
territory in the manner that is provided for the nomination and 471
election of judges in section 1901.07 of the Revised Code. 472

The clerk so elected shall hold office for a term of six 473
years, which term shall commence on the first day of January 474
following the clerk's election and continue until the clerk's 475
successor is elected and qualified. 476

(b) In the Hamilton county municipal court, the clerk of 477
courts of Hamilton county shall be the clerk of the municipal 478
court and may appoint an assistant clerk who shall receive the 479

compensation, payable out of the treasury of Hamilton county in 480
semimonthly installments, that the board of county commissioners 481
prescribes. The clerk of courts of Hamilton county, acting as 482
the clerk of the Hamilton county municipal court and assuming 483
the duties of that office, shall receive compensation at one- 484
fourth the rate that is prescribed for the clerks of courts of 485
common pleas as determined in accordance with the population of 486
the county and the rates set forth in sections 325.08 and 325.18 487
of the Revised Code. This compensation shall be paid from the 488
county treasury in semimonthly installments and is in addition 489
to the annual compensation that is received for the performance 490
of the duties of the clerk of courts of Hamilton county, as 491
provided in sections 325.08 and 325.18 of the Revised Code. 492

(c) In the Portage county and Wayne county municipal 493
courts, the clerks of courts of Portage county and Wayne county 494
shall be the clerks, respectively, of the Portage county and 495
Wayne county municipal courts and may appoint a chief deputy 496
clerk for each branch that is established pursuant to section 497
1901.311 of the Revised Code and assistant clerks as the judges 498
of the municipal court determine are necessary, all of whom 499
shall receive the compensation that the legislative authority 500
prescribes. The clerks of courts of Portage county and Wayne 501
county, acting as the clerks of the Portage county and Wayne 502
county municipal courts and assuming the duties of these 503
offices, shall receive compensation payable from the county 504
treasury in semimonthly installments at one-fourth the rate that 505
is prescribed for the clerks of courts of common pleas as 506
determined in accordance with the population of the county and 507
the rates set forth in sections 325.08 and 325.18 of the Revised 508
Code. 509

(d) In the Montgomery county and Miami county municipal 510

courts, the clerks of courts of Montgomery county and Miami 511
county shall be the clerks, respectively, of the Montgomery 512
county and Miami county municipal courts. The clerks of courts 513
of Montgomery county and Miami county, acting as the clerks of 514
the Montgomery county and Miami county municipal courts and 515
assuming the duties of these offices, shall receive compensation 516
at one-fourth the rate that is prescribed for the clerks of 517
courts of common pleas as determined in accordance with the 518
population of the county and the rates set forth in sections 519
325.08 and 325.18 of the Revised Code. This compensation shall 520
be paid from the county treasury in semimonthly installments and 521
is in addition to the annual compensation that is received for 522
the performance of the duties of the clerks of courts of 523
Montgomery county and Miami county, as provided in sections 524
325.08 and 325.18 of the Revised Code. 525

(e) Except as otherwise provided in division (A) (1) (e) of 526
this section, in the Akron municipal court, candidates for 527
election to the office of clerk of the court shall be nominated 528
by primary election. The primary election shall be held on the 529
day specified in the charter of the city of Akron for the 530
nomination of municipal officers. Notwithstanding any contrary 531
provision of section 3513.05 or 3513.257 of the Revised Code, 532
the declarations of candidacy and petitions of partisan 533
candidates and the nominating petitions of independent 534
candidates for the office of clerk of the Akron municipal court 535
shall be signed by at least fifty qualified electors of the 536
territory of the court. 537

The candidates shall file a declaration of candidacy and 538
petition, or a nominating petition, whichever is applicable, not 539
later than four p.m. of the ninetieth day before the day of the 540
primary election, in the form prescribed by section 3513.07 or 541

3513.261 of the Revised Code. The declaration of candidacy and 542
petition, or the nominating petition, shall conform to the 543
applicable requirements of section 3513.05 or 3513.257 of the 544
Revised Code. 545

If no valid declaration of candidacy and petition is filed 546
by any person for nomination as a candidate of a particular 547
political party for election to the office of clerk of the Akron 548
municipal court, a primary election shall not be held for the 549
purpose of nominating a candidate of that party for election to 550
that office. If only one person files a valid declaration of 551
candidacy and petition for nomination as a candidate of a 552
particular political party for election to that office, a 553
primary election shall not be held for the purpose of nominating 554
a candidate of that party for election to that office, and the 555
candidate shall be issued a certificate of nomination in the 556
manner set forth in section 3513.02 of the Revised Code. 557

Declarations of candidacy and petitions, nominating 558
petitions, and certificates of nomination for the office of 559
clerk of the Akron municipal court shall contain a designation 560
of the term for which the candidate seeks election. At the 561
following regular municipal election, all candidates for the 562
office shall be submitted to the qualified electors of the 563
territory of the court in the manner that is provided in section 564
1901.07 of the Revised Code for the election of the judges of 565
the court. The clerk so elected shall hold office for a term of 566
six years, which term shall commence on the first day of January 567
following the clerk's election and continue until the clerk's 568
successor is elected and qualified. 569

(f) Except as otherwise provided in division (A)(1)(f) of 570
this section, in the Barberton municipal court, candidates for 571

election to the office of clerk of the court shall be nominated 572
by primary election. The primary election shall be held on the 573
day specified in the charter of the city of Barberton for the 574
nomination of municipal officers. Notwithstanding any contrary 575
provision of section 3513.05 or 3513.257 of the Revised Code, 576
the declarations of candidacy and petitions of partisan 577
candidates and the nominating petitions of independent 578
candidates for the office of clerk of the Barberton municipal 579
court shall be signed by at least fifty qualified electors of 580
the territory of the court. 581

The candidates shall file a declaration of candidacy and 582
petition, or a nominating petition, whichever is applicable, not 583
later than four p.m. of the ninetieth day before the day of the 584
primary election, in the form prescribed by section 3513.07 or 585
3513.261 of the Revised Code. The declaration of candidacy and 586
petition, or the nominating petition, shall conform to the 587
applicable requirements of section 3513.05 or 3513.257 of the 588
Revised Code. 589

If no valid declaration of candidacy and petition is filed 590
by any person for nomination as a candidate of a particular 591
political party for election to the office of clerk of the 592
Barberton municipal court, a primary election shall not be held 593
for the purpose of nominating a candidate of that party for 594
election to that office. If only one person files a valid 595
declaration of candidacy and petition for nomination as a 596
candidate of a particular political party for election to that 597
office, a primary election shall not be held for the purpose of 598
nominating a candidate of that party for election to that 599
office, and the candidate shall be issued a certificate of 600
nomination in the manner set forth in section 3513.02 of the 601
Revised Code. 602

Declarations of candidacy and petitions, nominating 603
petitions, and certificates of nomination for the office of 604
clerk of the Barberton municipal court shall contain a 605
designation of the term for which the candidate seeks election. 606
At the following regular municipal election, all candidates for 607
the office shall be submitted to the qualified electors of the 608
territory of the court in the manner that is provided in section 609
1901.07 of the Revised Code for the election of the judges of 610
the court. The clerk so elected shall hold office for a term of 611
six years, which term shall commence on the first day of January 612
following the clerk's election and continue until the clerk's 613
successor is elected and qualified. 614

(g) (i) Through December 31, 2008, except as otherwise 615
provided in division (A) (1) (g) (i) of this section, in the 616
Cuyahoga Falls municipal court, candidates for election to the 617
office of clerk of the court shall be nominated by primary 618
election. The primary election shall be held on the day 619
specified in the charter of the city of Cuyahoga Falls for the 620
nomination of municipal officers. Notwithstanding any contrary 621
provision of section 3513.05 or 3513.257 of the Revised Code, 622
the declarations of candidacy and petitions of partisan 623
candidates and the nominating petitions of independent 624
candidates for the office of clerk of the Cuyahoga Falls 625
municipal court shall be signed by at least fifty qualified 626
electors of the territory of the court. 627

The candidates shall file a declaration of candidacy and 628
petition, or a nominating petition, whichever is applicable, not 629
later than four p.m. of the ninetieth day before the day of the 630
primary election, in the form prescribed by section 3513.07 or 631
3513.261 of the Revised Code. The declaration of candidacy and 632
petition, or the nominating petition, shall conform to the 633

applicable requirements of section 3513.05 or 3513.257 of the Revised Code. 634
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If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Cuyahoga Falls municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code. 636
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Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Cuyahoga Falls municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified. 649
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(ii) Division (A) (1) (g) (i) of this section shall have no effect after December 31, 2008. 661
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(h) Except as otherwise provided in division (A) (1) (h) of 663

this section, in the Toledo municipal court, candidates for 664
election to the office of clerk of the court shall be nominated 665
by primary election. The primary election shall be held on the 666
day specified in the charter of the city of Toledo for the 667
nomination of municipal officers. Notwithstanding any contrary 668
provision of section 3513.05 or 3513.257 of the Revised Code, 669
the declarations of candidacy and petitions of partisan 670
candidates and the nominating petitions of independent 671
candidates for the office of clerk of the Toledo municipal court 672
shall be signed by at least fifty qualified electors of the 673
territory of the court. 674

The candidates shall file a declaration of candidacy and 675
petition, or a nominating petition, whichever is applicable, not 676
later than four p.m. of the ninetieth day before the day of the 677
primary election, in the form prescribed by section 3513.07 or 678
3513.261 of the Revised Code. The declaration of candidacy and 679
petition, or the nominating petition, shall conform to the 680
applicable requirements of section 3513.05 or 3513.257 of the 681
Revised Code. 682

If no valid declaration of candidacy and petition is filed 683
by any person for nomination as a candidate of a particular 684
political party for election to the office of clerk of the 685
Toledo municipal court, a primary election shall not be held for 686
the purpose of nominating a candidate of that party for election 687
to that office. If only one person files a valid declaration of 688
candidacy and petition for nomination as a candidate of a 689
particular political party for election to that office, a 690
primary election shall not be held for the purpose of nominating 691
a candidate of that party for election to that office, and the 692
candidate shall be issued a certificate of nomination in the 693
manner set forth in section 3513.02 of the Revised Code. 694

Declarations of candidacy and petitions, nominating 695
petitions, and certificates of nomination for the office of 696
clerk of the Toledo municipal court shall contain a designation 697
of the term for which the candidate seeks election. At the 698
following regular municipal election, all candidates for the 699
office shall be submitted to the qualified electors of the 700
territory of the court in the manner that is provided in section 701
1901.07 of the Revised Code for the election of the judges of 702
the court. The clerk so elected shall hold office for a term of 703
six years, which term shall commence on the first day of January 704
following the clerk's election and continue until the clerk's 705
successor is elected and qualified. 706

(i) In the Columbiana county municipal court, the clerk of 707
courts of Columbiana county shall be the clerk of the municipal 708
court, may appoint a chief deputy clerk for each branch office 709
that is established pursuant to section 1901.311 of the Revised 710
Code, and may appoint any assistant clerks that the judges of 711
the court determine are necessary. All of the chief deputy 712
clerks and assistant clerks shall receive the compensation that 713
the legislative authority prescribes. The clerk of courts of 714
Columbiana county, acting as the clerk of the Columbiana county 715
municipal court and assuming the duties of that office, shall 716
receive in either biweekly installments or semimonthly 717
installments, as determined by the payroll administrator, 718
compensation payable from the county treasury at one-fourth the 719
rate that is prescribed for the clerks of courts of common pleas 720
as determined in accordance with the population of the county 721
and the rates set forth in sections 325.08 and 325.18 of the 722
Revised Code. 723

(2) (a) Except for the Alliance, Auglaize county, Brown 724
county, Holmes county, Perry county, Putnam county, Lima, 725

Lorain, Massillon, and Youngstown municipal courts, in a 726
municipal court for which the population of the territory is 727
less than one hundred thousand, the clerk shall be appointed by 728
the court, and the clerk shall hold office until the clerk's 729
successor is appointed and qualified. 730

(b) In the Alliance, Lima, Lorain, Massillon, and 731
Youngstown municipal courts, the clerk shall be elected for a 732
term of office as described in division (A) (1) (a) of this 733
section. 734

(c) In the Auglaize county, Brown county, Holmes county, 735
Perry county, and Putnam county municipal courts, the clerks of 736
courts of Auglaize county, Brown county, Holmes county, Perry 737
county, and Putnam county shall be the clerks, respectively, of 738
the Auglaize county, Brown county, Holmes county, Perry county, 739
and Putnam county municipal courts and may appoint a chief 740
deputy clerk for each branch office that is established pursuant 741
to section 1901.311 of the Revised Code, and assistant clerks as 742
the judge of the court determines are necessary, all of whom 743
shall receive the compensation that the legislative authority 744
prescribes. The clerks of courts of Auglaize county, Brown 745
county, Holmes county, Perry county, and Putnam county, acting 746
as the clerks of the Auglaize county, Brown county, Holmes 747
county, Perry county, and Putnam county municipal courts and 748
assuming the duties of these offices, shall receive compensation 749
payable from the county treasury in semimonthly installments at 750
one-fourth the rate that is prescribed for the clerks of courts 751
of common pleas as determined in accordance with the population 752
of the county and the rates set forth in sections 325.08 and 753
325.18 of the Revised Code. 754

(3) During the temporary absence of the clerk due to 755

illness, vacation, or other proper cause, the court may appoint 756
a temporary clerk, who shall be paid the same compensation, have 757
the same authority, and perform the same duties as the clerk. 758

(B) Except in the Hamilton county, Montgomery county, 759
Miami county, Portage county, and Wayne county municipal courts, 760
if a vacancy occurs in the office of the clerk of the Alliance, 761
Lima, Lorain, Massillon, or Youngstown municipal court or occurs 762
in the office of the clerk of a municipal court for which the 763
population of the territory equals or exceeds one hundred 764
thousand because the clerk ceases to hold the office before the 765
end of the clerk's term or because a clerk-elect fails to take 766
office, the vacancy shall be filled, until a successor is 767
elected and qualified, by a person chosen by the residents of 768
the territory of the court who are members of the county central 769
committee of the political party by which the last occupant of 770
that office or the clerk-elect was nominated. Not less than five 771
nor more than fifteen days after a vacancy occurs, those members 772
of that county central committee shall meet to make an 773
appointment to fill the vacancy. At least four days before the 774
date of the meeting, the chairperson or a secretary of the 775
county central committee shall notify each such member of that 776
county central committee by first class mail of the date, time, 777
and place of the meeting and its purpose. A majority of all such 778
members of that county central committee constitutes a quorum, 779
and a majority of the quorum is required to make the 780
appointment. If the office so vacated was occupied or was to be 781
occupied by a person not nominated at a primary election, or if 782
the appointment was not made by the committee members in 783
accordance with this division, the court shall make an 784
appointment to fill the vacancy. A successor shall be elected to 785
fill the office for the unexpired term at the first municipal 786

election that is held more than one hundred thirty-five days 787
after the vacancy occurred. 788

(C) (1) In a municipal court, other than the Auglaize 789
county, the Brown county, the Holmes county, the Perry county, 790
the Putnam county, and the Lorain municipal courts, for which 791
the population of the territory is less than one hundred 792
thousand, the clerk of the municipal court shall receive the 793
annual compensation that the presiding judge of the court 794
prescribes, if the revenue of the court for the preceding 795
calendar year, as certified by the auditor or chief fiscal 796
officer of the municipal corporation in which the court is 797
located or, in the case of a county-operated municipal court, 798
the county auditor, is equal to or greater than the 799
expenditures, including any debt charges, for the operation of 800
the court payable under this chapter from the city treasury or, 801
in the case of a county-operated municipal court, the county 802
treasury for that calendar year, as also certified by the 803
auditor or chief fiscal officer. If the revenue of a municipal 804
court, other than the Auglaize county, the Brown county, the 805
Columbiana county, the Perry county, the Putnam county, and the 806
Lorain municipal courts, for which the population of the 807
territory is less than one hundred thousand for the preceding 808
calendar year as so certified is not equal to or greater than 809
those expenditures for the operation of the court for that 810
calendar year as so certified, the clerk of a municipal court 811
shall receive the annual compensation that the legislative 812
authority prescribes. As used in this division, "revenue" means 813
the total of all costs and fees that are collected and paid to 814
the city treasury or, in a county-operated municipal court, the 815
county treasury by the clerk of the municipal court under 816
division (F) of this section and all interest received and paid 817

to the city treasury or, in a county-operated municipal court, 818
the county treasury in relation to the costs and fees under 819
division (G) of this section. 820

(2) In a municipal court, other than the Columbiana 821
county, Hamilton county, Montgomery county, Miami county, 822
Portage county, and Wayne county municipal courts, for which the 823
population of the territory is one hundred thousand or more, and 824
in the Lorain municipal court, the clerk of the municipal court 825
shall receive annual compensation in a sum equal to eighty-five 826
per cent of the salary of a judge of the court. 827

(3) The compensation of a clerk described in division (C) 828
(1) or (2) of this section and of the clerk of the Columbiana 829
county municipal court is payable in either semimonthly 830
installments or biweekly installments, as determined by the 831
payroll administrator, from the same sources and in the same 832
manner as provided in section 1901.11 of the Revised Code, 833
except that the compensation of the clerk of the Carroll county 834
municipal court is payable in biweekly installments. 835

(D) Before entering upon the duties of the clerk's office, 836
the clerk of a municipal court shall give bond of not less than 837
six thousand dollars to be determined by the judges of the 838
court, conditioned upon the faithful performance of the clerk's 839
duties. 840

~~(E)~~ (E) (1) The clerk of a municipal court may do all of the 841
following: administer oaths, take affidavits, and issue 842
executions upon any judgment rendered in the court, including a 843
judgment for unpaid costs; issue, sign, and attach the seal of 844
the court to all writs, process, subpoenas, and papers issuing 845
out of the court; and approve all bonds, sureties, 846
recognizances, and undertakings fixed by any judge of the court 847

or by law. The clerk may refuse to accept for filing any 848
pleading or paper submitted for filing by a person who has been 849
found to be a vexatious litigator under section 2323.52 of the 850
Revised Code and who has failed to obtain leave to proceed under 851
that section. The clerk shall do all of the following: file and 852
safely keep all journals, records, books, and papers belonging 853
or appertaining to the court; record the proceedings of the 854
court; ~~perform all other duties that the judges of the court may~~ 855
~~prescribe;~~ and keep a book showing all receipts and 856
disbursements, which book shall be open for public inspection at 857
all times. 858

(2) The clerk shall prepare and maintain a general index, 859
a docket, and other records that the court, by rule, requires, 860
all of which shall be the public records of the court. In the 861
docket, the clerk shall enter, at the time of the commencement 862
of an action, the names of the parties in full, the names of the 863
counsel, and the nature of the proceedings. Under proper dates, 864
the clerk shall note the filing of the complaint, issuing of 865
summons or other process, returns, and any subsequent pleadings. 866
The clerk also shall enter all reports, verdicts, orders, 867
judgments, and proceedings of the court, clearly specifying the 868
relief granted or orders made in each action. The court may 869
order an extended record of any of the above to be made and 870
entered, under the proper action heading, upon the docket at the 871
request of any party to the case, the expense of which record 872
may be taxed as costs in the case or may be required to be 873
prepaid by the party demanding the record, upon order of the 874
court. 875

(3) In furtherance of the performance of the duties 876
enjoined upon the clerk by statute, common law, and the Rules of 877
Superintendence for the Courts of Ohio, an elected clerk of a 878

municipal court is responsible for determining the best means 879
and methods for storing, maintaining, and retrieving all papers 880
delivered to the clerk, whether delivered in writing or in 881
electronic form, in compliance with Rule 26 of the Rules of 882
Superintendence for the Courts of Ohio. Once determined, the 883
elected clerk of the municipal court is responsible for 884
implementing the means and methods for storage, maintenance, and 885
retrieval. 886

(4) In the performance of official duties, an appointed 887
clerk of a municipal court is under the direction of the court. 888

(F) The clerk of a municipal court shall receive, collect, 889
and issue receipts for all costs, fees, fines, bail, and other 890
moneys payable to the office or to any officer of the court. The 891
clerk shall on or before the twentieth day of the month 892
following the month in which they are collected disburse to the 893
proper persons or officers, and take receipts for, all costs, 894
fees, fines, bail, and other moneys that the clerk collects. 895
Subject to sections 307.515 and 4511.193 of the Revised Code and 896
to any other section of the Revised Code that requires a 897
specific manner of disbursement of any moneys received by a 898
municipal court and except for the Hamilton county, Lawrence 899
county, and Ottawa county municipal courts, the clerk shall pay 900
all fines received for violation of municipal ordinances into 901
the treasury of the municipal corporation the ordinance of which 902
was violated and shall pay all fines received for violation of 903
township resolutions adopted pursuant to section 503.52 or 904
503.53 or Chapter 504. of the Revised Code into the treasury of 905
the township the resolution of which was violated. Subject to 906
sections 1901.024 and 4511.193 of the Revised Code, in the 907
Hamilton county, Lawrence county, and Ottawa county municipal 908
courts, the clerk shall pay fifty per cent of the fines received 909

for violation of municipal ordinances and fifty per cent of the 910
fines received for violation of township resolutions adopted 911
pursuant to section 503.52 or 503.53 or Chapter 504. of the 912
Revised Code into the treasury of the county. Subject to 913
sections 307.515, 4511.19, and 5503.04 of the Revised Code and 914
to any other section of the Revised Code that requires a 915
specific manner of disbursement of any moneys received by a 916
municipal court, the clerk shall pay all fines collected for the 917
violation of state laws into the county treasury. Except in a 918
county-operated municipal court, the clerk shall pay all costs 919
and fees the disbursement of which is not otherwise provided for 920
in the Revised Code into the city treasury. The clerk of a 921
county-operated municipal court shall pay the costs and fees the 922
disbursement of which is not otherwise provided for in the 923
Revised Code into the county treasury. Moneys deposited as 924
security for costs shall be retained pending the litigation. The 925
clerk shall keep a separate account of all receipts and 926
disbursements in civil and criminal cases, which shall be a 927
permanent public record of the office. On the expiration of the 928
term of the clerk, the clerk shall deliver the records to the 929
clerk's successor. ~~The clerk shall have other powers and duties~~ 930
~~as are prescribed by rule or order of the court.~~ 931

(G) All moneys paid into a municipal court shall be noted 932
on the record of the case in which they are paid and shall be 933
deposited in a state or national bank, as defined in section 934
1101.01 of the Revised Code, that is selected by the clerk. Any 935
interest received upon the deposits shall be paid into the city 936
treasury, except that, in a county-operated municipal court, the 937
interest shall be paid into the treasury of the county in which 938
the court is located. 939

On the first Monday in January of each year, the clerk 940

shall make a list of the titles of all cases in the court that 941
were finally determined more than one year past in which there 942
remains unclaimed in the possession of the clerk any funds, or 943
any part of a deposit for security of costs not consumed by the 944
costs in the case. The clerk shall give notice of the moneys to 945
the parties who are entitled to the moneys or to their attorneys 946
of record. All the moneys remaining unclaimed that are for 947
restitution payments for crime victims shall be sent to the 948
reparations fund created under section 2743.191 of the Revised 949
Code, with a list from the clerk or other officer responsible 950
for the collection and distribution of restitution payments 951
specifying the amounts and individual identifying information of 952
the funds. All other moneys remaining unclaimed on the first day 953
of April of each year shall be paid by the clerk to the city 954
treasurer, except that, in a county-operated municipal court, 955
the moneys shall be paid to the treasurer of the county in which 956
the court is located. The treasurer shall pay any part of the 957
moneys at any time to the person who has the right to the moneys 958
upon proper certification of the clerk. 959

(H) Deputy clerks of a municipal court other than the 960
Carroll county municipal court may be appointed by the clerk and 961
shall receive the compensation, payable in either biweekly 962
installments or semimonthly installments, as determined by the 963
payroll administrator, out of the city treasury, that the clerk 964
may prescribe, except that the compensation of any deputy clerk 965
of a county-operated municipal court shall be paid out of the 966
treasury of the county in which the court is located. The judge 967
of the Carroll county municipal court may appoint deputy clerks 968
for the court, and the deputy clerks shall receive the 969
compensation, payable in biweekly installments out of the county 970
treasury, that the judge may prescribe. Each deputy clerk shall 971

take an oath of office before entering upon the duties of the 972
deputy clerk's office and, when so qualified, may perform the 973
duties appertaining to the office of the clerk. The clerk may 974
require any of the deputy clerks to give bond of not less than 975
three thousand dollars, conditioned for the faithful performance 976
of the deputy clerk's duties. 977

(I) For the purposes of this section, whenever the 978
population of the territory of a municipal court falls below one 979
hundred thousand but not below ninety thousand, and the 980
population of the territory prior to the most recent regular 981
federal census exceeded one hundred thousand, the legislative 982
authority of the municipal corporation may declare, by 983
resolution, that the territory shall be considered to have a 984
population of at least one hundred thousand. 985

(J) The clerk or a deputy clerk shall be in attendance at 986
all sessions of the municipal court, although not necessarily in 987
the courtroom, and may administer oaths to witnesses and jurors 988
and receive verdicts. 989

Sec. 2303.12. (A) As used in this section: 990

(1) "Case file" means the compendium of original documents 991
filed in a civil action or proceeding in the court of common 992
pleas, including the pleadings, motions, orders, and judgments 993
of the court on a case by case basis. 994

(2) "General docket" means the appearance docket, trial 995
docket, journal, execution docket, and case files in relation to 996
those dockets and journal. 997

~~(B)~~ (B) (1) The clerk of the court of common pleas shall 998
keep records as indicated by the Rules of Superintendence for 999
the Courts of Ohio and subject to division (B) (2) of this 1000

section. They shall be called the appearance docket, trial 1001
docket and printed duplicates of the trial docket for the use of 1002
the court and the officers thereof, journal, and execution 1003
docket. The clerk shall also keep a record in book form or the 1004
clerk may prepare a record by using any photostatic, 1005
photographic, miniature photographic, film, microfilm, or 1006
microphotographic process, electrostatic process, perforated 1007
tape, magnetic tape, or other electromagnetic means, electronic 1008
data processing, machine readable media, graphic or video 1009
display, or any combination thereof, which correctly and 1010
accurately copies or reproduces every case file and other 1011
original document, paper, or instrument in writing. The clerk 1012
shall keep an index to the trial docket and to the printed 1013
duplicates of the trial docket and of the journal direct, and to 1014
the appearance docket, record, and execution docket, direct and 1015
reverse. All clerks keeping records and information by the 1016
methods described in this section shall keep and make readily 1017
available to the public the machine and equipment necessary to 1018
reproduce the records and information in a readable form. 1019

(2) (a) In furtherance of the performance of the duties 1020
enjoined upon the clerk by statute, common law, and the Rules of 1021
Superintendence for the Courts of Ohio, an elected clerk of the 1022
court of common pleas is responsible for determining the best 1023
means and methods for storing, maintaining, and retrieving all 1024
papers delivered to the clerk, whether delivered in writing or 1025
in electronic form, in compliance with Rule 26 of the Rules of 1026
Superintendence for the Courts of Ohio. Once determined, the 1027
elected clerk of the court of common pleas is responsible for 1028
implementing the means and methods for storage, maintenance, and 1029
retrieval. 1030

(b) In a court in which the clerk of the court of common 1031

pleas is appointed in a charter county, the clerk shall perform 1032
the duties pursuant to the county charter. 1033

(C) The clerk of the court of common pleas shall keep 1034
confidential information that is subject to a real property 1035
confidentiality notice under section 111.431 of the Revised 1036
Code, in accordance with that section. 1037

(D) (1) Subject to division (D) (2) of this section, not 1038
later than eighteen months after ~~the effective date of this~~ 1039
~~amendment~~ April 6, 2023, the clerk of court shall make available 1040
online on the clerk of court's web site the general docket of 1041
the court for remote access and printing by the public of the 1042
information in that docket, including all individual documents 1043
in each case file, pertaining to civil cases filed on or after 1044
~~the effective date of this amendment~~ April 6, 2023. 1045

(2) The clerk of court is not required to make available 1046
online under division (D) (1) of this section either of the 1047
following: 1048

(a) The general docket of the division of domestic 1049
relations, the juvenile court, or the probate court; 1050

(b) If the court does not have a division of domestic 1051
relations, the general docket in civil cases pertaining to 1052
domestic relations. 1053

(E) Nothing in division (D) of this section shall be 1054
construed as making available online any of the following: 1055

(1) Internal documents such as notes, emails, drafts, 1056
recommendations, advice, or research of judicial officers and 1057
court staff; 1058

(2) Any document or any information in a case file the 1059

public access to which the court has ordered restricted under 1060
the Rules of Superintendence for the Courts of Ohio. 1061

Sec. 2303.26. The clerk of the court of common pleas shall 1062
exercise the powers conferred and perform the duties enjoined 1063
upon the clerk by statute and by the common law; ~~and in the~~ 1064
~~performance of official duties the clerk shall be under the~~ 1065
~~direction of the court.~~ The clerk shall not restrict, prohibit, 1066
or otherwise modify the rights of parties to seek service on 1067
party defendants allowed by the Rules of Civil Procedure, either 1068
singularly or concurrently. 1069

Sec. 2307.221. (A) As used in this section, "tort action" 1070
has the same meaning as in section 2307.60 of the Revised Code. 1071

(B) No person is liable in a tort action for injury, 1072
death, or loss to person or property allegedly caused by the 1073
person's act of self-defense or defense of another when 1074
performed during the commission, or imminent commission, of an 1075
offense of violence to protect the members or guests, including 1076
the person's self, of a nonprofit corporation against the 1077
commission, or imminent commission, of that offense of violence, 1078
unless the person's act constitutes willful or wanton 1079
misconduct. 1080

(C) Nothing in this section shall be construed to affect 1081
any right to bring a civil action under section 2307.60 of the 1082
Revised Code or any other section of the Revised Code. 1083

(D) This section does not affect, and shall not be 1084
construed as affecting, any immunity from civil liability or 1085
defense established by another section of the Revised Code or 1086
available at common law, to which the person may be entitled 1087
under circumstances not covered by this section. 1088

(E) Subject to division (B) of this section, there is a 1089
presumption that a person who approaches or enters a nonprofit 1090
corporation's premises or event with intent to commit an offense 1091
of violence is liable for any injury, death, or loss to person 1092
or property resulting from an act of self-defense or defense of 1093
another against that person. 1094

Sec. 2329.01. (A) Lands and tenements, including vested 1095
legal interests therein, permanent leasehold estates renewable 1096
forever, and goods and chattels, not exempt by law, shall be 1097
subject to the payment of debts, and liable to be taken on 1098
execution and sold as provided in sections 2329.02 to 2329.61 of 1099
the Revised Code. 1100

(B) As used in sections 2329.02 to 2329.61 of the Revised 1101
Code: 1102

(1) "Commercial property" means any property that is not 1103
residential property. 1104

(2) "Private selling officer" means a resident of this 1105
state licensed as both an auctioneer under Chapter 4707. of the 1106
Revised Code and as a real estate broker or real estate 1107
salesperson under Chapter 4735. of the Revised Code. 1108

(3) "Residential mortgage loan" and "residential property" 1109
have the same meanings as in section 2308.01 of the Revised 1110
Code. 1111

(4) "Judgment debtor" includes any individual, 1112
corporation, business trust, estate, trust, partnership, or 1113
association. 1114

Sec. 2329.44. (A) On a sale made pursuant to this chapter, 1115
if the officer who makes the sale receives from the sale more 1116
money than is necessary to satisfy the writ of execution, with 1117

interest and costs, the officer who made the sale shall deliver 1118
any balance remaining after satisfying the writ of execution, 1119
with interest and costs, to the clerk of the court that issued 1120
the writ of execution not later than forty-five days after 1121
confirmation of the sale. The clerk then shall do one of the 1122
following: 1123

~~(1)~~ (1) (a) If the balance is ~~one~~ five hundred dollars or 1124
more, send to the judgment debtor whose property was the subject 1125
of the sale a notice that indicates the amount of the balance, 1126
informs the judgment debtor that the judgment debtor is entitled 1127
to receive the balance, and sets forth the procedure that the 1128
judgment debtor is required to follow to obtain the balance. 1129
~~This~~ Subject to divisions (A) (1) (b) and (c) of this section, 1130
this notice shall be sent to in the following manner: 1131

(i) To the judgment debtor at the address of the judgment 1132
debtor in the caption on the judgment or at any different 1133
address the judgment debtor may have provided, by certified 1134
mail, return receipt requested, within ninety days after the 1135
sale. 1136

(ii) If the certified mail envelope sent under division 1137
(A) (1) (a) (i) of this section is returned with an endorsement 1138
showing failure or refusal of delivery, the clerk immediately 1139
shall send the judgment debtor, at the address of the judgment 1140
debtor in the caption on the judgment or any different address 1141
the judgment debtor may have provided, a similar notice by 1142
ordinary mail. 1143

(iii) If the ordinary mail envelope sent under division 1144
(A) (1) (a) (ii) of this section is returned for any reason, the 1145
clerk immediately shall give a similar notice to the judgment 1146
debtor that includes the case number, the name of the judgment 1147

debtor, if known, and information on how to contact the clerk by 1148
an advertisement in a newspaper published in and of general 1149
circulation in the county, which advertisement shall run at 1150
least once. ~~The advertisement shall include the case number, the~~ 1151
~~name of the judgment debtor, and information on how to contact~~ 1152
~~the clerk, a posting on the clerk's web site, a text message to~~ 1153
the judgment debtor, or a posting in a conspicuous place in the 1154
court where the action was commenced. 1155

(b) If the address of the judgment debtor is not known, 1156
the clerk shall not send a notice by mail under division (A) (1) 1157
(a) (i) or (ii) of this section, but shall comply with division 1158
(A) (1) (a) (iii) of this section. 1159

(c) If the name of the judgment debtor is not known, but 1160
the address of the judgment debtor is known, the clerk shall 1161
send the notice required under division (A) (1) (a) of this 1162
section in the manner prescribed by division (A) (1) (a) (i), (ii), 1163
or (iii) of this section. 1164

(d) If the balance remains unclaimed for ninety days 1165
following the ~~first date of last mailing, publication, posting,~~ 1166
~~or text message required under division (A) (1) (a), (b), or (c)~~ 1167
of this section, the clerk shall dispose of the balance in the 1168
same manner as unclaimed money is disposed of under sections 1169
2335.34 and 2335.35 of the Revised Code. 1170

~~(2)~~ (2) (a) If the balance is less than ~~one~~ five hundred 1171
dollars, send to the judgment debtor whose property was the 1172
subject of the sale a notice that indicates the amount of the 1173
balance, informs the judgment debtor that the judgment debtor is 1174
entitled to receive the balance, and sets forth the procedure 1175
that the judgment debtor is required to follow to obtain the 1176
balance. This notice shall be sent to the judgment debtor ~~at~~ in 1177

the following manner: 1178

(i) At the address of the judgment debtor in the caption 1179
on the judgment or at any different address the judgment debtor 1180
may have provided, by ordinary mail; 1181

(ii) If the address of the judgment debtor is not known, 1182
the clerk shall notify the judgment debtor in the same manner 1183
prescribed by division (A) (1) (a) (iii) of this section. 1184

(iii) If the name of the judgment debtor is not known, but 1185
the address of the judgment debtor is known, the clerk shall 1186
notify the judgment debtor in the manner prescribed by either 1187
division (A) (2) (a) (i) or (A) (1) (a) (iii) of this section. 1188

(b) If the balance remains unclaimed for ninety days 1189
following the date of the last mailing, publication, posting, or 1190
text message required by division (A) (2) (a) of this section, the 1191
clerk shall dispose of the balance in the same manner as 1192
unclaimed money is disposed of under sections 2335.34 and 1193
2335.35 of the Revised Code. 1194

(B) (1) Subject to division (B) (2) of this section, the 1195
clerk of the court that issued the writ of execution, on demand 1196
and whether or not the notice required by division (A) (1) or (2) 1197
of this section is provided as prescribed, shall pay the balance 1198
to the judgment debtor or the judgment debtor's legal 1199
representatives. 1200

(2) The clerk of the court that issued the writ of 1201
execution is not required to pay the balance to the judgment 1202
debtor or the judgment debtor's legal representatives pursuant 1203
to division (B) (1) of this section until the judgment debtor or 1204
the legal representatives pay to the clerk the actual costs 1205
incurred in the provision of the notice required by division (A) 1206

(1) or (2) of this section. 1207

Sec. 2923.126. (A) A concealed handgun license that is 1208
issued under section 2923.125 of the Revised Code shall expire 1209
five years after the date of issuance. A licensee who has been 1210
issued a license under that section shall be granted a grace 1211
period of thirty days after the licensee's license expires 1212
during which the licensee's license remains valid. Except as 1213
provided in divisions (B) and (C) of this section, a licensee 1214
who has been issued a concealed handgun license under section 1215
2923.125 or 2923.1213 of the Revised Code may carry a concealed 1216
handgun anywhere in this state if the license is valid when the 1217
licensee is in actual possession of a concealed handgun. The 1218
licensee shall give notice of any change in the licensee's 1219
residence address to the sheriff who issued the license within 1220
forty-five days after that change. 1221

(B) A valid concealed handgun license does not authorize 1222
the licensee to carry a concealed handgun in any manner 1223
prohibited under division (B) of section 2923.12 of the Revised 1224
Code or in any manner prohibited under section 2923.16 of the 1225
Revised Code. A valid license does not authorize the licensee to 1226
carry a concealed handgun into any of the following places: 1227

(1) A police station, sheriff's office, or state highway 1228
patrol station, premises controlled by the bureau of criminal 1229
identification and investigation; a state correctional 1230
institution, jail, workhouse, or other detention facility; any 1231
area of an airport passenger terminal that is beyond a passenger 1232
or property screening checkpoint or to which access is 1233
restricted through security measures by the airport authority or 1234
a public agency; or an institution that is maintained, operated, 1235
managed, and governed pursuant to division (A) of section 1236

5119.14 of the Revised Code or division (A) (1) of section	1237
5123.03 of the Revised Code;	1238
(2) A school safety zone if the licensee's carrying the	1239
concealed handgun is in violation of section 2923.122 of the	1240
Revised Code;	1241
(3) A courthouse or another building or structure in which	1242
a courtroom is located if the licensee's carrying the concealed	1243
handgun is in violation of section 2923.123 of the Revised Code;	1244
(4) Any premises or open air arena for which a D permit	1245
has been issued under Chapter 4303. of the Revised Code if the	1246
licensee's carrying the concealed handgun is in violation of	1247
section 2923.121 of the Revised Code;	1248
(5) Any premises owned or leased by any public or private	1249
college, university, or other institution of higher education,	1250
unless the handgun is in a locked motor vehicle or the licensee	1251
is in the immediate process of placing the handgun in a locked	1252
motor vehicle or unless the licensee is carrying the concealed	1253
handgun pursuant to a written policy, rule, or other	1254
authorization that is adopted by the institution's board of	1255
trustees or other governing body and that authorizes specific	1256
individuals or classes of individuals to carry a concealed	1257
handgun on the premises;	1258
(6) Any church, synagogue, mosque, or other place of	1259
worship, unless the church, synagogue, mosque, or other place of	1260
worship posts or permits otherwise;	1261
(7) Any building that is a government facility of this	1262
state or a political subdivision of this state and that is not a	1263
building that is used primarily as a shelter, restroom, parking	1264
facility for motor vehicles, or rest facility and is not a	1265

courthouse or other building or structure in which a courtroom 1266
is located that is subject to division (B) (3) of this section, 1267
unless the governing body with authority over the building has 1268
enacted a statute, ordinance, or policy that permits a licensee 1269
to carry a concealed handgun into the building; 1270

(8) A place in which federal law prohibits the carrying of 1271
handguns. 1272

(C) (1) Nothing in this section shall negate or restrict a 1273
rule, policy, or practice of a private employer that is not a 1274
private college, university, or other institution of higher 1275
education concerning or prohibiting the presence of firearms on 1276
the private employer's premises or property, including motor 1277
vehicles owned by the private employer. Nothing in this section 1278
shall require a private employer of that nature to adopt a rule, 1279
policy, or practice concerning or prohibiting the presence of 1280
firearms on the private employer's premises or property, 1281
including motor vehicles owned by the private employer. 1282

(2) (a) A private employer shall be immune from liability 1283
in a civil action for any injury, death, or loss to person or 1284
property that allegedly was caused by or related to a licensee 1285
bringing a handgun onto the premises or property of the private 1286
employer, including motor vehicles owned by the private 1287
employer, unless the private employer acted with malicious 1288
purpose. A private employer is immune from liability in a civil 1289
action for any injury, death, or loss to person or property that 1290
allegedly was caused by or related to the private employer's 1291
decision to permit a licensee to bring, or prohibit a licensee 1292
from bringing, a handgun onto the premises or property of the 1293
private employer. 1294

(b) A political subdivision shall be immune from liability 1295

in a civil action, to the extent and in the manner provided in 1296
Chapter 2744. of the Revised Code, for any injury, death, or 1297
loss to person or property that allegedly was caused by or 1298
related to a licensee bringing a handgun onto any premises or 1299
property owned, leased, or otherwise under the control of the 1300
political subdivision. As used in this division, "political 1301
subdivision" has the same meaning as in section 2744.01 of the 1302
Revised Code. 1303

(c) An institution of higher education shall be immune 1304
from liability in a civil action for any injury, death, or loss 1305
to person or property that allegedly was caused by or related to 1306
a licensee bringing a handgun onto the premises of the 1307
institution, including motor vehicles owned by the institution, 1308
unless the institution acted with malicious purpose. An 1309
institution of higher education is immune from liability in a 1310
civil action for any injury, death, or loss to person or 1311
property that allegedly was caused by or related to the 1312
institution's decision to permit a licensee or class of 1313
licensees to bring a handgun onto the premises of the 1314
institution. 1315

(d) A nonprofit corporation shall be immune from liability 1316
in a civil action for any injury, death, or loss to person or 1317
property that allegedly was caused by or related to a licensee 1318
bringing a handgun onto the premises of the nonprofit 1319
corporation, including any motor vehicle owned by the nonprofit 1320
corporation, or to any event organized by the nonprofit 1321
corporation, unless the nonprofit corporation acted with 1322
malicious purpose. A nonprofit corporation is immune from 1323
liability in a civil action for any injury, death, or loss to 1324
person or property that allegedly was caused by or related to 1325
the nonprofit corporation's decision to permit a licensee to 1326

bring a handgun onto the premises of the nonprofit corporation 1327
or to any event organized by the nonprofit corporation. The 1328
immunities described in this division apply to an entity that 1329
leases its property to the nonprofit corporation or permits its 1330
property to be used by the nonprofit corporation for any 1331
purpose. 1332

(3) (a) Except as provided in division (C) (3) (b) of this 1333
section and section 2923.1214 of the Revised Code, the owner or 1334
person in control of private land or premises, and a private 1335
person or entity leasing land or premises owned by the state, 1336
the United States, or a political subdivision of the state or 1337
the United States, may post a sign in a conspicuous location on 1338
that land or on those premises prohibiting persons from carrying 1339
firearms or concealed firearms on or onto that land or those 1340
premises. Except as otherwise provided in this division, a 1341
person who knowingly violates a posted prohibition of that 1342
nature is guilty of criminal trespass in violation of division 1343
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 1344
misdemeanor of the fourth degree. If a person knowingly violates 1345
a posted prohibition of that nature and the posted land or 1346
premises primarily was a parking lot or other parking facility, 1347
the person is not guilty of criminal trespass under section 1348
2911.21 of the Revised Code or under any other criminal law of 1349
this state or criminal law, ordinance, or resolution of a 1350
political subdivision of this state, and instead is subject only 1351
to a civil cause of action for trespass based on the violation. 1352

If a person knowingly violates a posted prohibition of the 1353
nature described in this division and the posted land or 1354
premises is a child day-care center, type A family day-care 1355
home, or type B family day-care home, unless the person is a 1356
licensee who resides in a type A family day-care home or type B 1357

family day-care home, the person is guilty of aggravated 1358
trespass in violation of section 2911.211 of the Revised Code. 1359
Except as otherwise provided in this division, the offender is 1360
guilty of a misdemeanor of the first degree. If the person 1361
previously has been convicted of a violation of this division or 1362
of any offense of violence, if the weapon involved is a firearm 1363
that is either loaded or for which the offender has ammunition 1364
ready at hand, or if the weapon involved is dangerous ordnance, 1365
the offender is guilty of a felony of the fourth degree. 1366

(b) A landlord may not prohibit or restrict a tenant who 1367
is a licensee and who on or after September 9, 2008, enters into 1368
a rental agreement with the landlord for the use of residential 1369
premises, and the tenant's guest while the tenant is present, 1370
from lawfully carrying or possessing a handgun on those 1371
residential premises. 1372

(c) As used in division (C)(3) of this section: 1373

(i) "Residential premises" has the same meaning as in 1374
section 5321.01 of the Revised Code, except "residential 1375
premises" does not include a dwelling unit that is owned or 1376
operated by a college or university. 1377

(ii) "Landlord," "tenant," and "rental agreement" have the 1378
same meanings as in section 5321.01 of the Revised Code. 1379

(D) A person who holds a valid concealed handgun license 1380
issued by another state that is recognized by the attorney 1381
general pursuant to a reciprocity agreement entered into 1382
pursuant to section 109.69 of the Revised Code or a person who 1383
holds a valid concealed handgun license under the circumstances 1384
described in division (B) of section 109.69 of the Revised Code 1385
has the same right to carry a concealed handgun in this state as 1386

a person who was issued a concealed handgun license under 1387
section 2923.125 of the Revised Code and is subject to the same 1388
restrictions that apply to a person who has been issued a 1389
license under that section that is valid at the time in 1390
question. 1391

(E) (1) A peace officer has the same right to carry a 1392
concealed handgun in this state as a person who was issued a 1393
concealed handgun license under section 2923.125 of the Revised 1394
Code, provided that the officer when carrying a concealed 1395
handgun under authority of this division is carrying validating 1396
identification. For purposes of reciprocity with other states, a 1397
peace officer shall be considered to be a licensee in this 1398
state. 1399

(2) An active duty member of the armed forces of the 1400
United States who is carrying a valid military identification 1401
card and documentation of successful completion of firearms 1402
training that meets or exceeds the training requirements 1403
described in division (G) (1) of section 2923.125 of the Revised 1404
Code has the same right to carry a concealed handgun in this 1405
state as a person who was issued a concealed handgun license 1406
under section 2923.125 of the Revised Code and is subject to the 1407
same restrictions as specified in this section. 1408

(3) A tactical medical professional who is qualified to 1409
carry firearms while on duty under section 109.771 of the 1410
Revised Code has the same right to carry a concealed handgun in 1411
this state as a person who was issued a concealed handgun 1412
license under section 2923.125 of the Revised Code. 1413

(F) (1) A qualified retired peace officer who possesses a 1414
retired peace officer identification card issued pursuant to 1415
division (F) (2) of this section and a valid firearms 1416

requalification certification issued pursuant to division (F) (3) 1417
of this section has the same right to carry a concealed handgun 1418
in this state as a person who was issued a concealed handgun 1419
license under section 2923.125 of the Revised Code and is 1420
subject to the same restrictions that apply to a person who has 1421
been issued a license issued under that section that is valid at 1422
the time in question. For purposes of reciprocity with other 1423
states, a qualified retired peace officer who possesses a 1424
retired peace officer identification card issued pursuant to 1425
division (F) (2) of this section and a valid firearms 1426
requalification certification issued pursuant to division (F) (3) 1427
of this section shall be considered to be a licensee in this 1428
state. 1429

(2) (a) Each public agency of this state or of a political 1430
subdivision of this state that is served by one or more peace 1431
officers shall issue a retired peace officer identification card 1432
to any person who retired from service as a peace officer with 1433
that agency, if the issuance is in accordance with the agency's 1434
policies and procedures and if the person, with respect to the 1435
person's service with that agency, satisfies all of the 1436
following: 1437

(i) The person retired in good standing from service as a 1438
peace officer with the public agency, and the retirement was not 1439
for reasons of mental instability. 1440

(ii) Before retiring from service as a peace officer with 1441
that agency, the person was authorized to engage in or supervise 1442
the prevention, detection, investigation, or prosecution of, or 1443
the incarceration of any person for, any violation of law and 1444
the person had statutory powers of arrest. 1445

(iii) At the time of the person's retirement as a peace 1446

officer with that agency, the person was trained and qualified 1447
to carry firearms in the performance of the peace officer's 1448
duties. 1449

(iv) Before retiring from service as a peace officer with 1450
that agency, the person was regularly employed as a peace 1451
officer for an aggregate of fifteen years or more, or, in the 1452
alternative, the person retired from service as a peace officer 1453
with that agency, after completing any applicable probationary 1454
period of that service, due to a service-connected disability, 1455
as determined by the agency. 1456

(b) A retired peace officer identification card issued to 1457
a person under division (F) (2) (a) of this section shall identify 1458
the person by name, contain a photograph of the person, identify 1459
the public agency of this state or of the political subdivision 1460
of this state from which the person retired as a peace officer 1461
and that is issuing the identification card, and specify that 1462
the person retired in good standing from service as a peace 1463
officer with the issuing public agency and satisfies the 1464
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1465
section. In addition to the required content specified in this 1466
division, a retired peace officer identification card issued to 1467
a person under division (F) (2) (a) of this section may include 1468
the firearms requalification certification described in division 1469
(F) (3) of this section, and if the identification card includes 1470
that certification, the identification card shall serve as the 1471
firearms requalification certification for the retired peace 1472
officer. If the issuing public agency issues credentials to 1473
active law enforcement officers who serve the agency, the agency 1474
may comply with division (F) (2) (a) of this section by issuing 1475
the same credentials to persons who retired from service as a 1476
peace officer with the agency and who satisfy the criteria set 1477

forth in divisions (F) (2) (a) (i) to (iv) of this section, 1478
provided that the credentials so issued to retired peace 1479
officers are stamped with the word "RETIRED." 1480

(c) A public agency of this state or of a political 1481
subdivision of this state may charge persons who retired from 1482
service as a peace officer with the agency a reasonable fee for 1483
issuing to the person a retired peace officer identification 1484
card pursuant to division (F) (2) (a) of this section. 1485

(3) If a person retired from service as a peace officer 1486
with a public agency of this state or of a political subdivision 1487
of this state and the person satisfies the criteria set forth in 1488
divisions (F) (2) (a) (i) to (iv) of this section, the public 1489
agency may provide the retired peace officer with the 1490
opportunity to attend a firearms requalification program that is 1491
approved for purposes of firearms requalification required under 1492
section 109.801 of the Revised Code. The retired peace officer 1493
may be required to pay the cost of the course. 1494

If a retired peace officer who satisfies the criteria set 1495
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1496
a firearms requalification program that is approved for purposes 1497
of firearms requalification required under section 109.801 of 1498
the Revised Code, the retired peace officer's successful 1499
completion of the firearms requalification program requalifies 1500
the retired peace officer for purposes of division (F) of this 1501
section for five years from the date on which the program was 1502
successfully completed, and the requalification is valid during 1503
that five-year period. If a retired peace officer who satisfies 1504
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1505
section satisfactorily completes such a firearms requalification 1506
program, the retired peace officer shall be issued a firearms 1507

requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for five years from that date of successful completion. The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F) (2) of this section.

A retired peace officer who attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code may be required to pay the cost of the program.

(G) As used in this section:

(1) "Qualified retired peace officer" means a person who satisfies all of the following:

(a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section.

(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) The person is not prohibited by federal law from receiving firearms.

(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F) (2) of this section to a person who is a retired peace officer.

(3) "Government facility of this state or a political subdivision of this state" means any of the following:

(a) A building or part of a building that is owned or 1536
leased by the government of this state or a political 1537
subdivision of this state and where employees of the government 1538
of this state or the political subdivision regularly are present 1539
for the purpose of performing their official duties as employees 1540
of the state or political subdivision; 1541

(b) The office of a deputy registrar serving pursuant to 1542
Chapter 4503. of the Revised Code that is used to perform deputy 1543
registrar functions. 1544

(4) "Governing body" has the same meaning as in section 1545
154.01 of the Revised Code. 1546

(5) "Tactical medical professional" has the same meaning 1547
as in section 109.71 of the Revised Code. 1548

(6) "Validating identification" means photographic 1549
identification issued by the agency for which an individual 1550
serves as a peace officer that identifies the individual as a 1551
peace officer of the agency. 1552

(7) "Nonprofit corporation" means any private organization 1553
that is exempt from federal income taxation pursuant to 1554
subsection 501(a) and described in subsection 501(c) of the 1555
Internal Revenue Code. 1556

Sec. 3314.03. A copy of every contract entered into under 1557
this section shall be filed with the director of education and 1558
workforce. The department of education and workforce shall make 1559
available on its web site a copy of every approved, executed 1560
contract filed with the director under this section. 1561

(A) Each contract entered into between a sponsor and the 1562
governing authority of a community school shall specify the 1563
following: 1564

(1) That the school shall be established as either of the following:	1565 1566
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	1567 1568 1569
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	1570 1571
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	1572 1573 1574 1575
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	1576 1577 1578 1579
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	1580 1581 1582 1583
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	1584 1585 1586
(6) (a) Dismissal procedures;	1587
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the	1588 1589 1590 1591 1592

student.	1593
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	1594 1595
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	1596 1597 1598 1599 1600 1601
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	1602 1603
(a) A detailed description of each facility used for instructional purposes;	1604 1605
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	1606 1607
(c) The annual mortgage principal and interest payments that are paid by the school;	1608 1609
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	1610 1611 1612
(10) Qualifications of employees, including both of the following:	1613 1614
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	1615 1616 1617 1618 1619

(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

(11) That the school will comply with the following requirements:

(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.

(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.48, 3319.614,

3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 1649
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 1650
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 1651
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 1652
4123., 4141., and 4167. of the Revised Code as if it were a 1653
school district and will comply with section 3301.0714 of the 1654
Revised Code in the manner specified in section 3314.17 of the 1655
Revised Code. 1656

(e) The school shall comply with Chapter 102. and section 1657
2921.42 of the Revised Code. 1658

(f) The school will comply with sections 3313.61, 1659
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1660
Revised Code, except that for students who enter ninth grade for 1661
the first time before July 1, 2010, the requirement in sections 1662
3313.61 and 3313.611 of the Revised Code that a person must 1663
successfully complete the curriculum in any high school prior to 1664
receiving a high school diploma may be met by completing the 1665
curriculum adopted by the governing authority of the community 1666
school rather than the curriculum specified in Title XXXIII of 1667
the Revised Code or any rules of the department. Beginning with 1668
students who enter ninth grade for the first time on or after 1669
July 1, 2010, the requirement in sections 3313.61 and 3313.611 1670
of the Revised Code that a person must successfully complete the 1671
curriculum of a high school prior to receiving a high school 1672
diploma shall be met by completing the requirements prescribed 1673
in section 3313.6027 and division (C) of section 3313.603 of the 1674
Revised Code, unless the person qualifies under division (D) or 1675
(F) of that section. Each school shall comply with the plan for 1676
awarding high school credit based on demonstration of subject 1677
area competency, and beginning with the 2017-2018 school year, 1678
with the updated plan that permits students enrolled in seventh 1679

and eighth grade to meet curriculum requirements based on 1680
subject area competency adopted by the department under 1681
divisions (J) (1) and (2) of section 3313.603 of the Revised 1682
Code. Beginning with the 2018-2019 school year, the school shall 1683
comply with the framework for granting units of high school 1684
credit to students who demonstrate subject area competency 1685
through work-based learning experiences, internships, or 1686
cooperative education developed by the department under division 1687
(J) (3) of section 3313.603 of the Revised Code. 1688

(g) The school governing authority will submit within four 1689
months after the end of each school year a report of its 1690
activities and progress in meeting the goals and standards of 1691
divisions (A) (3) and (4) of this section and its financial 1692
status to the sponsor and the parents of all students enrolled 1693
in the school. 1694

(h) The school, unless it is an internet- or computer- 1695
based community school, will comply with section 3313.801 of the 1696
Revised Code as if it were a school district. 1697

(i) If the school is the recipient of moneys from a grant 1698
awarded under the federal race to the top program, Division (A), 1699
Title XIV, Sections 14005 and 14006 of the "American Recovery 1700
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1701
the school will pay teachers based upon performance in 1702
accordance with section 3317.141 and will comply with section 1703
3319.111 of the Revised Code as if it were a school district. 1704

(j) If the school operates a preschool program that is 1705
licensed by the department under sections 3301.52 to 3301.59 of 1706
the Revised Code, the school shall comply with sections 3301.50 1707
to 3301.59 of the Revised Code and the minimum standards for 1708
preschool programs prescribed in rules adopted by the department 1709

of children and youth under section 3301.53 of the Revised Code. 1710

(k) The school will comply with sections 3313.6021 and 1711
3313.6023 of the Revised Code as if it were a school district 1712
unless it is either of the following: 1713

(i) An internet- or computer-based community school; 1714

(ii) A community school in which a majority of the 1715
enrolled students are children with disabilities as described in 1716
division (B) (2) of section 3314.35 of the Revised Code. 1717

(l) The school will comply with section 3321.191 of the 1718
Revised Code, unless it is an internet- or computer-based 1719
community school that is subject to section 3314.261 of the 1720
Revised Code. 1721

(12) Arrangements for providing health and other benefits 1722
to employees; 1723

(13) The length of the contract, which shall begin at the 1724
beginning of an academic year. No contract shall exceed five 1725
years unless such contract has been renewed pursuant to division 1726
(E) of this section. 1727

(14) The governing authority of the school, which shall be 1728
responsible for carrying out the provisions of the contract; 1729

(15) A financial plan detailing an estimated school budget 1730
for each year of the period of the contract and specifying the 1731
total estimated per pupil expenditure amount for each such year. 1732

(16) Requirements and procedures regarding the disposition 1733
of employees of the school in the event the contract is 1734
terminated or not renewed pursuant to section 3314.07 of the 1735
Revised Code; 1736

(17) Whether the school is to be created by converting all 1737
or part of an existing public school or educational service 1738
center building or is to be a new start-up school, and if it is 1739
a converted public school or service center building, 1740
specification of any duties or responsibilities of an employer 1741
that the board of education or service center governing board 1742
that operated the school or building before conversion is 1743
delegating to the governing authority of the community school 1744
with respect to all or any specified group of employees provided 1745
the delegation is not prohibited by a collective bargaining 1746
agreement applicable to such employees; 1747

(18) Provisions establishing procedures for resolving 1748
disputes or differences of opinion between the sponsor and the 1749
governing authority of the community school; 1750

(19) A provision requiring the governing authority to 1751
adopt a policy regarding the admission of students who reside 1752
outside the district in which the school is located. That policy 1753
shall comply with the admissions procedures specified in 1754
sections 3314.06 and 3314.061 of the Revised Code and, at the 1755
sole discretion of the authority, shall do one of the following: 1756

(a) Prohibit the enrollment of students who reside outside 1757
the district in which the school is located; 1758

(b) Permit the enrollment of students who reside in 1759
districts adjacent to the district in which the school is 1760
located; 1761

(c) Permit the enrollment of students who reside in any 1762
other district in the state. 1763

(20) A provision recognizing the authority of the 1764
department to take over the sponsorship of the school in 1765

accordance with the provisions of division (C) of section	1766
3314.015 of the Revised Code;	1767
(21) A provision recognizing the sponsor's authority to	1768
assume the operation of a school under the conditions specified	1769
in division (B) of section 3314.073 of the Revised Code;	1770
(22) A provision recognizing both of the following:	1771
(a) The authority of public health and safety officials to	1772
inspect the facilities of the school and to order the facilities	1773
closed if those officials find that the facilities are not in	1774
compliance with health and safety laws and regulations;	1775
(b) The authority of the department as the community	1776
school oversight body to suspend the operation of the school	1777
under section 3314.072 of the Revised Code if the department has	1778
evidence of conditions or violations of law at the school that	1779
pose an imminent danger to the health and safety of the school's	1780
students and employees and the sponsor refuses to take such	1781
action.	1782
(23) A description of the learning opportunities that will	1783
be offered to students including both classroom-based and non-	1784
classroom-based learning opportunities that is in compliance	1785
with criteria for student participation established by the	1786
department under division (H) (2) of section 3314.08 of the	1787
Revised Code;	1788
(24) The school will comply with sections 3302.04 and	1789
3302.041 of the Revised Code, except that any action required to	1790
be taken by a school district pursuant to those sections shall	1791
be taken by the sponsor of the school.	1792
(25) Beginning in the 2006-2007 school year, the school	1793
will open for operation not later than the thirtieth day of	1794

September each school year, unless the mission of the school as 1795
specified under division (A) (2) of this section is solely to 1796
serve dropouts. In its initial year of operation, if the school 1797
fails to open by the thirtieth day of September, or within one 1798
year after the adoption of the contract pursuant to division (D) 1799
of section 3314.02 of the Revised Code if the mission of the 1800
school is solely to serve dropouts, the contract shall be void. 1801

(26) Whether the school's governing authority is planning 1802
to seek designation for the school as a STEM school equivalent 1803
under section 3326.032 of the Revised Code; 1804

(27) That the school's attendance and participation 1805
policies will be available for public inspection; 1806

(28) That the school's attendance and participation 1807
records shall be made available to the department, auditor of 1808
state, and school's sponsor to the extent permitted under and in 1809
accordance with the "Family Educational Rights and Privacy Act 1810
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 1811
regulations promulgated under that act, and section 3319.321 of 1812
the Revised Code; 1813

(29) If a school operates using the blended learning 1814
model, as defined in section 3301.079 of the Revised Code, all 1815
of the following information: 1816

(a) An indication of what blended learning model or models 1817
will be used; 1818

(b) A description of how student instructional needs will 1819
be determined and documented; 1820

(c) The method to be used for determining competency, 1821
granting credit, and promoting students to a higher grade level; 1822

(d) The school's attendance requirements, including how	1823
the school will document participation in learning	1824
opportunities;	1825
(e) A statement describing how student progress will be	1826
monitored;	1827
(f) A statement describing how private student data will	1828
be protected;	1829
(g) A description of the professional development	1830
activities that will be offered to teachers.	1831
(30) A provision requiring that all moneys the school's	1832
operator loans to the school, including facilities loans or cash	1833
flow assistance, must be accounted for, documented, and bear	1834
interest at a fair market rate;	1835
(31) A provision requiring that, if the governing	1836
authority contracts with an attorney, accountant, or entity	1837
specializing in audits, the attorney, accountant, or entity	1838
shall be independent from the operator with which the school has	1839
contracted.	1840
(32) A provision requiring the governing authority to	1841
adopt an enrollment and attendance policy that requires a	1842
student's parent to notify the community school in which the	1843
student is enrolled when there is a change in the location of	1844
the parent's or student's primary residence.	1845
(33) A provision requiring the governing authority to	1846
adopt a student residence and address verification policy for	1847
students enrolling in or attending the school.	1848
(B) The community school shall also submit to the sponsor	1849
a comprehensive plan for the school. The plan shall specify the	1850

following:	1851
(1) The process by which the governing authority of the school will be selected in the future;	1852 1853
(2) The management and administration of the school;	1854
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	1855 1856 1857 1858 1859
(4) The instructional program and educational philosophy of the school;	1860 1861
(5) Internal financial controls.	1862
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	1863 1864 1865 1866
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	1867 1868 1869 1870 1871 1872 1873 1874 1875 1876
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered	1877 1878

into with the department under division (B) of section 3314.015 1879
of the Revised Code and shall include the following: 1880

(1) Monitor the community school's compliance with all 1881
laws applicable to the school and with the terms of the 1882
contract; 1883

(2) Monitor and evaluate the academic and fiscal 1884
performance and the organization and operation of the community 1885
school on at least an annual basis; 1886

(3) Provide technical assistance to the community school 1887
in complying with laws applicable to the school and terms of the 1888
contract; 1889

(4) Take steps to intervene in the school's operation to 1890
correct problems in the school's overall performance, declare 1891
the school to be on probationary status pursuant to section 1892
3314.073 of the Revised Code, suspend the operation of the 1893
school pursuant to section 3314.072 of the Revised Code, or 1894
terminate the contract of the school pursuant to section 3314.07 1895
of the Revised Code as determined necessary by the sponsor; 1896

(5) Have in place a plan of action to be undertaken in the 1897
event the community school experiences financial difficulties or 1898
closes prior to the end of a school year. 1899

(E) Upon the expiration of a contract entered into under 1900
this section, the sponsor of a community school may, with the 1901
approval of the governing authority of the school, renew that 1902
contract for a period of time determined by the sponsor, but not 1903
ending earlier than the end of any school year, if the sponsor 1904
finds that the school's compliance with applicable laws and 1905
terms of the contract and the school's progress in meeting the 1906
academic goals prescribed in the contract have been 1907

satisfactory. Any contract that is renewed under this division 1908
remains subject to the provisions of sections 3314.07, 3314.072, 1909
and 3314.073 of the Revised Code. 1910

(F) If a community school fails to open for operation 1911
within one year after the contract entered into under this 1912
section is adopted pursuant to division (D) of section 3314.02 1913
of the Revised Code or permanently closes prior to the 1914
expiration of the contract, the contract shall be void and the 1915
school shall not enter into a contract with any other sponsor. A 1916
school shall not be considered permanently closed because the 1917
operations of the school have been suspended pursuant to section 1918
3314.072 of the Revised Code. 1919

Sec. 3319.48. (A) As used in this section: 1920

(1) "Public primary or secondary school" includes both of 1921
the following: 1922

(a) A preschool as defined in section 2950.034 of the 1923
Revised Code, but excludes private institutions or centers; 1924

(b) A school operated by a city, local, or exempted 1925
village school district, a joint vocational school district, a 1926
community school established under Chapter 3314., a STEM school 1927
established under Chapter 3326., or a college-preparatory 1928
boarding school established under Chapter 3328. of the Revised 1929
Code. 1930

(2) "Race" includes traits associated with an individual's 1931
race, including hair texture and protective hair styles, such as 1932
braids, locks, and twists. 1933

(B) No public primary or secondary school shall 1934
discriminate against any student with respect to any program or 1935
activity on account of the student's traits that are associated 1936

<u>with the student's race.</u>	1937
<u>(C) Any student alleging that a public primary or</u>	1938
<u>secondary school has violated this section may bring a civil</u>	1939
<u>action in any court of competent jurisdiction.</u>	1940
Sec. 3326.11. Each science, technology, engineering, and	1941
mathematics school established under this chapter and its	1942
governing body shall comply with sections 9.90, 9.91, 109.65,	1943
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43,	1944
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14,	1945
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48,	1946
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318,	1947
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020,	1948
3313.6021, 3313.6023, 3313.6024, 3313.6025, 3313.6026,	1949
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615,	1950
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411,	1951
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667,	1952
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672,	1953
3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3313.718,	1954
3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80,	1955
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819,	1956
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078,	1957
3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321,	1958
3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41,	1959
3319.45, 3319.46, <u>3319.48</u> , 3319.614, 3320.01, 3320.02, 3320.03,	1960
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141,	1961
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251,	1962
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and	1963
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742.,	1964
4112., 4123., 4141., and 4167. of the Revised Code as if it were	1965
a school district.	1966

Sec. 3328.24. A college-preparatory boarding school 1967
established under this chapter and its board of trustees shall 1968
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1969
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 1970
3313.6013, 3313.6021, 3313.6023, 3313.6024, 3313.6025, 1971
3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 1972
3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 3313.7112, 1973
3313.7117, 3313.721, 3313.753, 3313.89, 3319.073, 3319.077, 1974
3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 3319.393, 1975
3319.46, 3319.48, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 1976
and 5502.262, and Chapter 3365. of the Revised Code as if the 1977
school were a school district and the school's board of trustees 1978
were a district board of education. 1979

Sec. 4707.101. (A) A licensed auctioneer shall complete 1980
eight hours of continuing education in accordance with this 1981
section prior to renewal of the license under section 4707.10 of 1982
the Revised Code. The auction firm manager of a licensed auction 1983
firm shall complete eight hours of continuing education in 1984
accordance with this section prior to the renewal of the auction 1985
firm license under section 4707.10 of the Revised Code. 1986

(B) (1) Except as provided in division (B) (2) of this 1987
section, a licensed auctioneer and an auction firm manager shall 1988
complete the eight hours of continuing education as follows: 1989

(a) Three of the hours shall include areas of instruction 1990
in any of the following areas: an overview of this chapter and 1991
rules adopted under it, including any recent amendments to that 1992
chapter or rules; contract law; the uniform commercial code; 1993
auction ethics; or trust or escrow accounts. 1994

(b) Five of the hours shall include areas of instruction 1995
in any of the following areas: advertising and marketing; 1996

business math and accounting; insurance and liability; federal 1997
firearms law; business management; motor vehicle auctions; real 1998
estate auctions; or personal property auctions. 1999

(2) If a licensed auctioneer has been issued a license 2000
with a period of validity of twelve months or less, the 2001
auctioneer shall complete four hours of continuing education as 2002
follows: 2003

(a) One hour in the areas of instruction described in 2004
division (B) (1) (a) of this section; 2005

(b) Three hours in the areas of instruction described in 2006
division (B) (1) (b) of this section. 2007

(C) A licensed auctioneer or an auction firm manager of a 2008
licensed auction firm may complete an area of instruction for 2009
continuing education hours in another state if both of the 2010
following apply: 2011

(1) The area of instruction has been approved by the 2012
appropriate state governing body in the other state. 2013

(2) The Ohio auctioneers commission approves the 2014
completion of the area of instruction by the auctioneer or an 2015
auction firm manager in the other state. 2016

(D) The continuing education requirements established 2017
under this section do not apply to a licensed auctioneer to 2018
which both of the following apply: 2019

(1) The licensed auctioneer was licensed as an apprentice 2020
auctioneer under section 4707.09 of the Revised Code, as it 2021
existed prior to its repeal by H.B. 321 of the 134th general 2022
assembly on September 13, 2022. 2023

(2) The licensed auctioneer completed that apprenticeship 2024

prior to that date. 2025

Sec. 5721.20. Except in cases where the property is 2026
transferred without sale to a municipal corporation, township, 2027
county, community development organization, or county land 2028
reutilization corporation pursuant to the alternative redemption 2029
period procedures contained in section 323.78 of the Revised 2030
Code, both of the following apply: 2031

(A) If the officer who makes the sale receives from the 2032
sale more money than is necessary to satisfy the writ of 2033
execution, with interest and costs, the officer who made the 2034
sale shall deliver any balance remaining after satisfying the 2035
writ of execution, with interest and costs, to the clerk of the 2036
court that issued the writ of execution not later than forty- 2037
five days after confirmation of sale; 2038

(B) The clerk of the court that issued the writ of 2039
execution shall notify the owner of any residue of moneys from 2040
the sale or foreclosure of lands remaining to the owner on the 2041
order of distribution, in a manner consistent with division (A) 2042
of section 2329.44 of the Revised Code. Any residue of moneys 2043
from the sale or foreclosure of lands remaining to the owner and 2044
unclaimed by such owner within ~~sixty-ninety~~ days from ~~its-~~ 2045
~~receipt~~ the day the final notice is provided in accordance with 2046
division (A) of section 2329.44 of the Revised Code, shall be 2047
paid into the county treasury and shall be charged separately to 2048
the county treasurer by the county auditor, in the name of the 2049
supposed owner. The treasurer shall retain such excess in the 2050
treasury for the proper owner of such lands upon which the 2051
foreclosure was had, and upon demand by such owner, within three 2052
years from the date of receipt, shall pay such excess to the 2053
owner. If the owner does not demand payment of the excess within 2054

three years, then the excess shall be forfeited to the 2055
delinquent tax and assessment collection fund created under 2056
section ~~323.261~~321.261 of the Revised Code, or in counties that 2057
have established a county land reutilization corporation fund 2058
under section ~~323.263~~321.263 of the Revised Code, to the county 2059
land reutilization corporation fund. 2060

Section 2. That existing sections 121.22, 122.66, 122.70, 2061
1901.31, 2303.12, 2303.26, 2329.01, 2329.44, 2923.126, 3314.03, 2062
3326.11, 3328.24, 4707.101, and 5721.20 of the Revised Code are 2063
hereby repealed. 2064

Section 3. Sections 3314.03, 3326.11, and 3328.24 of the 2065
Revised Code, as amended by this act, and section 3319.48 of the 2066
Revised Code, as enacted by this act, shall be known as the 2067
Creating a Respectful and Open World for Natural Hair (CROWN) 2068
Act. 2069

Section 4. The General Assembly, applying the principle 2070
stated in division (B) of section 1.52 of the Revised Code that 2071
amendments are to be harmonized if reasonably capable of 2072
simultaneous operation, finds that the following sections, 2073
presented in this act as composites of the sections as amended 2074
by the acts indicated, are the resulting versions of the 2075
sections in effect prior to the effective date of the sections 2076
as presented in this act: 2077

Section 121.22 of the Revised Code as amended by both H.B. 2078
45 and H.B. 254 of the 134th General Assembly. 2079

Section 1901.31 of the Revised Code as amended by both 2080
H.B. 33 and S.B. 21 of the 135th General Assembly. 2081

Section 3314.03 of the Revised Code as amended by H.B. 2082
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 2083

Section 3326.11 of the Revised Code as amended by H.B. 47,	2084
H.B. 214, and S.B. 168, all of the 135th General Assembly.	2085
Section 3328.24 of the Revised Code as amended by both	2086
H.B. 47 and H.B. 214 of the 135th General Assembly.	2087