

**As Reported by the House Finance Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. S. B. No. 94**

**Senators Brenner, Landis**

**Cosponsors: Senators Cirino, Hackett, Hicks-Hudson, Reynolds, Rulli, Smith,  
Wilson**

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**A BILL**

To amend sections 317.13, 317.32, 317.36, 1113.13, 1  
1317.07, 1337.04, 1901.261, 1907.261, 2303.081, 2  
2303.201, 2329.02, 3735.671, 4301.17, 4301.171, 3  
4303.041, 4303.184, 4399.15, 4505.104, 4505.13, 4  
4511.01, 4513.61, 4513.62, 4513.63, 4513.64, 5  
4513.65, 4513.66, 4513.69, 4517.261, and 6  
5323.02; to enact new section 135.032 and 7  
sections 1901.313, 1907.202, 3320.05, 3320.06, 8  
3320.07, 3320.08, 3333.0419, 3333.80, 3333.801, 9  
3345.0210, and 5301.234; and to repeal sections 10  
135.032, 135.321, and 4505.131 of the Revised 11  
Code and to amend Sections 381.10, 381.220, 12  
381.525, 381.565, and 413.10 of H.B. 33 of the 13  
135th General Assembly to make various changes 14  
regarding recorded instruments, powers of 15  
attorney, judgment liens, mortgage subrogation, 16  
law enforcement towing laws, state stock banks, 17  
liquor control laws, motor vehicle sales and 18  
leases, designation of public depositories, 19  
community reinvestment areas, motor vehicle 20  
certificates of title, and higher education cost 21  
and aid disclosure forms; to provide for the 22

electronic filing of pleadings or documents in 23  
courts of common pleas except a probate or 24  
juvenile court; in municipal courts, and in 25  
county courts, to permit an elected clerk to 26  
disburse funds for the computerization of the 27  
clerk's office without the court's 28  
authorization; to permit municipal and county 29  
courts to increase the maximum amount of their 30  
additional fees from ten dollars to twenty 31  
dollars to cover the computerization of the 32  
clerk's office; to enact the "CAMPUS" Act 33  
regarding the prevention of harassment and 34  
intimidation at institutions of higher 35  
education; to establish campus safety and 36  
community programs; to provide additional 37  
funding to support responsibilities of the 38  
Chancellor of Higher Education related to 39  
educator preparation programs and the science of 40  
reading; and to make appropriations. 41

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

**Section 1.** That sections 317.13, 317.32, 317.36, 1113.13, 42  
1317.07, 1337.04, 1901.261, 1907.261, 2303.081, 2303.201, 43  
2329.02, 3735.671, 4301.17, 4301.171, 4303.041, 4303.184, 44  
4399.15, 4505.104, 4505.13, 4511.01, 4513.61, 4513.62, 4513.63, 45  
4513.64, 4513.65, 4513.66, 4513.69, 4517.261, and 5323.02 be 46  
amended and new section 135.032 and sections 1901.313, 1907.202, 47  
3320.05, 3320.06, 3320.07, 3320.08, 3333.0419, 3333.80, 48  
3333.801, 3345.0210, and 5301.234 of the Revised Code be enacted 49

to read as follows: 50

Sec. 135.032. (A) For the purposes of this section: 51

(1) "Institution" means an institution eligible to become 52  
a public depository under section 135.03 or 135.32 of the 53  
Revised Code or an eligible credit union, as defined in section 54  
135.62 of the Revised Code. 55

(2) "Prompt corrective action directive" means a directive 56  
issued by a regulatory authority of the United States as 57  
authorized under 12 U.S.C. 1790d or 1831o. 58

(B) An institution designated as a public depository under 59  
this chapter shall notify each governing board that made such 60  
designation if the institution becomes party to an active prompt 61  
corrective action directive. 62

(C) Except as otherwise provided in division (D) of this 63  
section, an institution is ineligible to become a public 64  
depository under this chapter or to have active, interim, or 65  
inactive deposits awarded, placed, purchased, made, or 66  
designated pursuant to this chapter, if the institution is party 67  
to an active prompt corrective action directive. 68

(D) If a governing board receives notice under division 69  
(B) of this section, or otherwise becomes aware that an 70  
institution the board designated as a public depository is party 71  
to an active prompt corrective action directive, the board may 72  
do either or both of the following, if the board determines that 73  
it is in the public interest: 74

(1) Allow the public depository to continue to have 75  
active, interim, or inactive deposits awarded, placed, 76  
purchased, made, or designated for the remainder of the 77  
designation period; 78

(2) Designate the institution as a public depository for 79  
additional succeeding designation periods. 80

(E) If a governing board determines that one or both of 81  
the actions permitted by division (D) of this section are in the 82  
public interest, and public moneys are lost due to the failure 83  
of the public depository subject to the active prompt correction 84  
directive, all of the following are relieved from any liability 85  
for that loss: 86

(1) The governing board's treasurer and deputy treasurer; 87

(2) An executive director, director, or other person 88  
employed by the governing board, its treasurer, or its deputy 89  
treasurer; 90

(3) Bondspersons and surety of any person described in 91  
divisions (E) (1) and (2) of this section. 92

**Sec. 317.13.** (A) Except as otherwise provided in division 93  
(B) of this section, the county recorder shall record in the 94  
official records, in legible handwriting, typewriting, or 95  
printing, or by any authorized photographic or electronic 96  
process, all deeds, mortgages, plats, or other instruments of 97  
writing that are required or authorized by the Revised Code to 98  
be recorded and that are presented to the county recorder for 99  
that purpose. The county recorder shall record the instruments 100  
in regular succession, according to the priority of 101  
presentation, and shall enter the file number at the beginning 102  
of the record. On the record of each instrument, the county 103  
recorder shall record the date and precise time the instrument 104  
was presented for record. All records made, prior to July 28, 105  
1949, by means authorized by this section or by section 9.01 of 106  
the Revised Code shall be deemed properly made. 107

(B) (1) The county recorder may refuse to record an 108  
instrument of writing presented for recording if the instrument 109  
is not required or authorized by the Revised Code to be recorded 110  
or the county recorder has reasonable cause to believe the 111  
instrument is materially false or fraudulent. 112

(2) The county recorder shall refuse to record a right-to- 113  
list home sale agreement described in division (B) of section 114  
5301.94 of the Revised Code. 115

Division (B) of this section does not create a duty upon a 116  
recorder to inspect, evaluate, or investigate an instrument of 117  
writing, including a right-to-list home sale agreement, that is 118  
presented for recording. 119

(C) If a person presents an instrument of writing to the 120  
county recorder for recording and the county recorder, pursuant 121  
to division (B) of this section, refuses to record the 122  
instrument, the person has a cause of action for an order from 123  
the court of common pleas in the county that the county recorder 124  
serves, to require the county recorder to record the instrument. 125  
If the court determines that the instrument is required or 126  
authorized by the Revised Code to be recorded, is not materially 127  
false or fraudulent, and is not a right-to-list home sale 128  
agreement, it shall order the county recorder to record the 129  
instrument. 130

(D) The county recorder shall keep confidential 131  
information that is subject to a real property confidentiality 132  
notice under section 111.431 of the Revised Code, in accordance 133  
with that section. A copy of the real property confidentiality 134  
notice shall accompany subsequent recordings of the property, 135  
unless the program participant's certification has been canceled 136  
under section 111.431 or 111.45 of the Revised Code. 137

(E) (1) Not later than June 30, 2026, each county recorder, 138  
county auditor, and county engineer shall make available to the 139  
public a method for electronically recording instruments related 140  
to conveyances of real property that adheres to the standards 141  
governing conveyances of real property adopted by a county in 142  
accordance with section 319.203 of the Revised Code. 143

(2) Not later than June 30, 2026, a county recorder shall 144  
make available to the public a method for electronically 145  
recording instruments, other than those related to conveyances 146  
of real property, specified in division (A) or (D) of section 147  
317.08 of the Revised Code, except division (A) (24) of that 148  
section. 149

(3) Divisions (E) (1) and (2) of this section do not apply 150  
to instruments specifically exempt from recording under either 151  
of the following: 152

(a) The standards governing conveyances of real property 153  
adopted by a county in accordance with section 319.203 of the 154  
Revised Code; or 155

(b) The minimum standards for boundary surveys promulgated 156  
by the board of registration for professional engineers and 157  
surveyors pursuant to Chapter 4733. of the Revised Code. 158

(F) Not later than June 30, 2026, a county recorder shall 159  
make available to the public on the county recorder's web site 160  
electronic indexes for, and electronic versions of, all 161  
instruments recorded on or after January 1, 1980, except veteran 162  
discharge papers recorded under section 317.24 of the Revised 163  
Code or any instrument or portion thereof prohibited from being 164  
disclosed under federal or state law. A county recorder may 165  
require a username and password to access the electronic indexes 166

and instruments, but may not require a fee to create a username 167  
and password or to otherwise access the electronic indexes and 168  
instruments. 169

**Sec. 317.32.** The county recorder shall charge and collect 170  
~~the following fees,~~ to include, except as otherwise provided in 171  
division (A) (2) of this section, base fees for the recorder's 172  
services and housing trust fund fees collected pursuant to 173  
section 317.36 of the Revised Code, and may charge and collect a 174  
document preservation surcharge, as follows: 175

(A) (1) Except as otherwise provided in division (A) (2) of 176  
this section, for recording and indexing an instrument if the 177  
photocopy or any similar process is employed, ~~a:~~ 178

(a) A base fee of seventeen dollars for the first two 179  
pages and a housing trust fund fee of seventeen dollars, and a 180  
base fee of four dollars and a housing trust fund fee of four 181  
dollars for each subsequent page, size eight and one-half inches 182  
by fourteen inches, or fraction of a page, including the caption 183  
page, of such instrument; and 184

(b) A document preservation surcharge of up to five 185  
dollars, which shall be deposited in the county treasury to the 186  
credit of the county general fund. 187

(2) For recording and indexing an instrument described in 188  
division (D) of section 317.08 of the Revised Code if the 189  
photocopy or any similar process is employed, a fee of ~~twenty-~~ 190  
~~eight~~ thirty-four dollars for the first two pages to be 191  
deposited as specified elsewhere in this division, and a fee of 192  
eight dollars to be deposited in the same manner for each 193  
subsequent page, size eight and one-half inches by fourteen 194  
inches, or fraction of a page, including the caption page, of 195

that instrument. If the county recorder's technology fund has 196  
been established under section 317.321 of the Revised Code, of 197  
the ~~twenty-eight-thirty-four~~ dollars, fourteen-seventeen dollars 198  
shall be deposited into the county treasury to the credit of the 199  
county recorder's technology fund and fourteen-seventeen dollars 200  
shall be deposited into the county treasury to the credit of the 201  
county general fund. If the county recorder's technology fund 202  
has not been established, the ~~twenty-eight-thirty-four~~ dollars 203  
shall be deposited into the county treasury to the credit of the 204  
county general fund. 205

(3) The document preservation surcharge is intended to 206  
support the preservation and digitization of documents and 207  
ongoing costs incurred by a county recorder's office to make 208  
available to the public a web site with appropriate security 209  
features, electronic document hosting, online viewing, and print 210  
and download features that enable an individual to print or 211  
download a copy of a public record from the web site. 212

(B) For certifying a copy or electronic record from the 213  
record previously recorded, a base fee of one dollar and a 214  
housing trust fund fee of one dollar per page, size eight and 215  
one-half inches by fourteen inches, or fraction of a page; for 216  
each certification if the recorder's seal is required, except as 217  
to instruments issued by the armed forces of the United States, 218  
a base fee of fifty cents and a housing trust fund fee of fifty 219  
cents; 220

(C) For entering or indexing any marginal reference, or 221  
any reference previously accomplished as a marginal reference 222  
now accomplished through electronic means, by separate recorded 223  
instrument, a base fee of two dollars and a housing trust fund 224  
fee of two dollars for each marginal reference, or reference 225



previously accomplished as a marginal reference now accomplished	226
through electronic means, set out in that instrument, in	227
addition to the fees set forth in division (A) (1) of this	228
section;	229
(D) For indexing in the real estate mortgage records,	230
pursuant to section 1309.519 of the Revised Code, financing	231
statements covering crops growing or to be grown, timber to be	232
cut, minerals or the like, including oil and gas, accounts	233
subject to section 1309.301 of the Revised Code, or fixture	234
filings made pursuant to section 1309.334 of the Revised Code, a	235
base fee of two dollars and a housing trust fund fee of two	236
dollars for each name indexed;	237
(E) For filing zoning resolutions, including text and	238
maps, in the office of the recorder as required under sections	239
303.11 and 519.11 of the Revised Code, a base fee of twenty-five	240
dollars and a housing trust fund fee of twenty-five dollars,	241
regardless of the size or length of the resolutions;	242
(F) For filing zoning amendments, including text and maps,	243
in the office of the recorder as required under sections 303.12	244
and 519.12 of the Revised Code, a base fee of ten dollars and a	245
housing trust fund fee of ten dollars regardless of the size or	246
length of the amendments;	247
(G) For photocopying a document, other than at the time of	248
recording and indexing as provided for in division (A) (1) or (2)	249
of this section, a base fee of one dollar and a housing trust	250
fund fee of one dollar per page, size eight and one-half inches	251
by fourteen inches, or fraction thereof;	252
(H) For local facsimile <u>or electronic</u> transmission of a	253
document, a base fee of one dollar and a housing trust fund fee	254

of one dollar per page, size eight and one-half inches by 255  
fourteen inches, or fraction thereof; for long distance 256  
facsimile transmission of a document, a base fee of two dollars 257  
and a housing trust fund fee of two dollars per page, size eight 258  
and one-half inches by fourteen inches, or fraction thereof; 259

(I) For recording a declaration executed pursuant to 260  
section 2133.02 of the Revised Code or a durable power of 261  
attorney for health care executed pursuant to section 1337.12 of 262  
the Revised Code, or both a declaration and a durable power of 263  
attorney for health care, a base fee of at least ~~fourteen~~ 264  
seventeen dollars but not more than twenty dollars and a housing 265  
trust fund fee of at least ~~fourteen~~seventeen dollars but not 266  
more than twenty dollars. 267

In any county in which the recorder employs the 268  
photostatic or any similar process for recording maps, plats, or 269  
prints the recorder shall determine, charge, and collect for the 270  
recording or rerecording of any map, plat, or print, a base fee 271  
of five cents and a housing trust fund fee of five cents per 272  
square inch, for each square inch of the map, plat, or print 273  
filed for that recording or rerecording, with a minimum base fee 274  
of twenty dollars and a minimum housing trust fund fee of twenty 275  
dollars; for certifying a copy from the record, a base fee of 276  
two cents and a housing trust fund fee of two cents per square 277  
inch of the record, with a minimum base fee of two dollars and a 278  
minimum housing trust fund fee of two dollars. 279

The fees provided in this section shall be paid upon the 280  
presentation of the instruments for record or upon the 281  
application for any certified copy of the record, except that 282  
the payment of fees for providing copies of instruments 283  
conveying or extinguishing agricultural easements to the office 284

of farmland preservation in the department of agriculture under 285  
division (H) of section 5301.691 of the Revised Code shall be 286  
governed by that division, and payment of fees for electronic 287  
recording may be made by electronic funds transfer, automated 288  
clearing house, or other electronic means after presentation. 289

The fees provided for in this section shall not apply to 290  
the recording, indexing, or making of a certified copy or to the 291  
filing of any instrument by a county land reutilization 292  
corporation. 293

The fees provided for in this section shall not apply to 294  
the recording, indexing, or making of a certified copy or to the 295  
filing of any instrument by a county land reutilization 296  
corporation's wholly owned subsidiary or any other electing 297  
subdivision as defined in section 5722.01 of the Revised Code if 298  
the wholly owned subsidiary or the electing subdivision is 299  
acting in capacity consistent with the purpose of the land 300  
reutilization program. 301

**Sec. 317.36.** (A) The county recorder shall collect the 302  
low- and moderate-income housing trust fund fee as specified in 303  
sections 317.114, 317.32, 1563.42, 1702.59, 2505.13, 4141.23, 304  
4509.60, 5164.56, 5310.15, 5703.93, 5719.07, 5727.56, 5733.22, 305  
6101.09, and 6115.09 of the Revised Code. The amount of any 306  
housing trust fund fee the recorder is authorized to collect is 307  
equal to the amount of any base fee the recorder is authorized 308  
to collect for services. The housing trust fund fee shall be 309  
collected in addition to the base fee. 310

(B) The recorder shall certify the amounts collected as 311  
housing trust fund fees pursuant to division (A) of this section 312  
into the county treasury as housing trust fund fees to be paid 313  
to the treasurer of state pursuant to section 319.63 of the 314

Revised Code.	315
<u>(C) The document preservation surcharge collected under</u>	316
<u>section 317.32 of the Revised Code is not a base fee under this</u>	317
<u>section.</u>	318
<b>Sec. 1113.13.</b> (A) After subscriptions to shares have been	319
received by the incorporators, the board of directors of a stock	320
state bank may, subject to the requirements of this section,	321
adopt amendments to the bank's articles of incorporation to do	322
any of the following:	323
(1) Authorize the shares necessary to meet conversion or	324
option rights when all of the following apply:	325
(a) The bank has issued shares of one class convertible	326
into shares of another class or obligations convertible into	327
shares of the bank, or has granted options to purchase shares.	328
(b) The conversion or option rights are set forth in the	329
articles of incorporation or have been approved by the same vote	330
of shareholders as, at the time of the approval, would have been	331
required to amend the articles of incorporation to authorize the	332
shares required for that purpose.	333
(c) The bank does not have sufficient authorized and	334
unissued shares available to satisfy the conversion or option	335
rights.	336
(2) Reduce the authorized number of shares of a class by	337
the number of shares of that class that have been redeemed, or	338
have been surrendered to or acquired by the bank upon	339
conversion, exchange, purchase, or otherwise, or to eliminate	340
from the articles of incorporation all references to the shares	341
of a class, and to make any other change required, when all of	342
the authorized shares of that class have been redeemed, or	343

surrendered to or acquired by the bank;	344
(3) Reduce the authorized number of shares of a class by	345
the number of shares of that class that were canceled for not	346
being issued or reissued and for not being fully paid in within	347
one year after the date they were authorized or otherwise became	348
authorized and unissued shares;	349
<u>(4) For any purpose authorized by section 1701.70 of the</u>	350
<u>Revised Code.</u>	351
(B) The board of directors of a stock state bank may adopt	352
amended articles of incorporation to consolidate the original	353
articles of incorporation and all previously adopted amendments	354
to the articles of incorporation that are in force at the time.	355
(C) Amended articles of incorporation shall set forth all	356
provisions required in, and only provisions that may properly be	357
in, original articles of incorporation or amendments to articles	358
of incorporation at the time the amended articles of	359
incorporation are adopted, and shall state that they supersede	360
the existing articles of incorporation.	361
(D) (1) If the board of directors propose the adoption of	362
any amendment to a stock state bank's articles of incorporation	363
or amended articles of incorporation, the bank shall send to the	364
superintendent of financial institutions a copy of the proposed	365
amendment or amended articles of incorporation for review and	366
approval prior to adoption by the board.	367
(2) Upon receiving a proposed amendment or amended	368
articles of incorporation, the superintendent shall conduct	369
whatever examination the superintendent considers necessary to	370
determine if both of the following conditions are satisfied:	371
(a) The proposed amendment or amended articles of	372

incorporation comply with the requirements of the Revised Code. 373

(b) The proposed amendment or amended articles of 374  
incorporation will not adversely affect the interests of the 375  
bank's depositors and creditors. 376

(3) Within forty-five days after receiving the proposed 377  
amendment or amended articles of incorporation, the 378  
superintendent shall notify the bank of the superintendent's 379  
approval or disapproval unless the superintendent determines 380  
additional information is required. In that event, the 381  
superintendent shall request the information in writing within 382  
twenty days after the date the proposed amendment or amended 383  
articles of incorporation were received. The bank shall have 384  
thirty days to submit the information to the superintendent. The 385  
superintendent shall notify the bank of the superintendent's 386  
approval or disapproval of the proposed amendment or amended 387  
articles of incorporation within forty-five days after the date 388  
the additional information is received. If the proposed 389  
amendment or amended articles of incorporation are disapproved 390  
by the superintendent, the superintendent shall notify the bank 391  
of the reasons for the disapproval. 392

(4) If the superintendent fails to approve or disapprove 393  
the proposed amendment or amended articles of incorporation 394  
within the time period required by division (D)(3) of this 395  
section, the proposed amendment or amended articles of 396  
incorporation shall be considered approved. 397

(5) If the proposed amendment or amended articles of 398  
incorporation are approved, in no event shall that approval be 399  
construed or represented as an affirmative endorsement of the 400  
amendment or amended articles of incorporation by the 401  
superintendent. 402

(E) (1) Upon adoption by the board of directors of any approved amendment to a stock state bank's articles of incorporation, the bank shall send to the superintendent a certificate containing a copy of the directors' resolution adopting the amendment and a statement of the manner of and basis for its adoption. The certificate shall be signed by the bank's authorized representatives in accordance with section 1103.19 of the Revised Code.

(2) Upon adoption by the board of directors of approved amended articles of incorporation, the bank shall send to the superintendent a copy of the amended articles of incorporation, accompanied by a certificate containing a copy of the directors' resolution adopting the amended articles of incorporation and a statement of the manner of and basis for its adoption. The certificate shall be signed by the bank's authorized representatives in accordance with section 1103.19 of the Revised Code.

(F) Upon receiving a certificate required by division (E) of this section, the superintendent shall conduct whatever examination the superintendent considers necessary to determine if the manner of and basis for adoption of the amendment or amended articles of incorporation comply with the requirements of the Revised Code.

(G) (1) Within thirty days after receiving a certificate required by division (E) of this section, the superintendent shall approve or disapprove the amendment or amended articles of incorporation. If the superintendent approves the amendment or amended articles of incorporation, the superintendent shall forward a certificate of that approval, a copy of the certificate required by division (E) of this section, and a copy

of the amendment or amended articles of incorporation to the 433  
secretary of state, who shall file the documents. Upon filing by 434  
the secretary of state, the amendment or amended articles of 435  
incorporation shall be effective. 436

(2) If the superintendent fails to approve or disapprove 437  
the amendment or amended articles of incorporation within thirty 438  
days after receiving a certificate required by division (E) of 439  
this section, the bank shall forward a copy of the certificate 440  
and a copy of the amendment or amended articles of incorporation 441  
to the secretary of state, who shall file the documents. Upon 442  
filing by the secretary of state, the amendment or amended 443  
articles of incorporation shall be effective. 444

**Sec. 1317.07.** No retail installment contract authorized by 445  
section 1317.03 of the Revised Code that is executed in 446  
connection with any retail installment sale shall evidence any 447  
indebtedness in excess of the time balance fixed in the written 448  
instrument in compliance with section 1317.04 of the Revised 449  
Code, but it may evidence in addition any agreements of the 450  
parties for the payment of delinquent charges, as provided for 451  
in section 1317.06 of the Revised Code, taxes, and any lawful 452  
fee actually paid out, or to be paid out, by the retail seller 453  
to any public officer for filing, recording, or releasing any 454  
instrument securing the payment of the obligation owed on any 455  
retail installment contract. No retail seller, directly or 456  
indirectly, shall charge, contract for, or receive from any 457  
retail buyer, any further or other amount for examination, 458  
service, brokerage, commission, expense, fee, or other thing of 459  
value, unless the retail seller is otherwise authorized by law 460  
to do so. A documentary service charge customarily and presently 461  
being paid on May 9, 1949, in a particular business and area may 462  
be charged if the charge does not exceed two hundred fifty 463



dollars per sale, except as otherwise authorized by section 464  
4517.261 of the Revised Code. 465

No retail seller shall use multiple agreements with 466  
respect to a single item or related items purchased at the same 467  
time, with intent to obtain a higher charge than would otherwise 468  
be permitted by Chapter 1317. of the Revised Code or to avoid 469  
disclosure of an annual percentage rate, nor by use of such 470  
agreements make any charge greater than that which would be 471  
permitted by Chapter 1317. of the Revised Code had a single 472  
agreement been used. 473

**Sec. 1337.04.** ~~A power of attorney for the conveyance, (A)~~ 474  
As used in this section, "real property interest" means a deed, 475  
mortgage, land installment contract, or lease of an interest in 476  
real property must. 477

(B) A power of attorney used for the execution of a real 478  
property instrument shall be properly executed and acknowledged 479  
by the principal before the execution and acknowledgement of 480  
such real property instrument executed by virtue of such power 481  
of attorney. 482

For purposes of this section, if the execution and 483  
acknowledgement of the power of attorney is dated the same date 484  
as the execution and acknowledgment of the real property 485  
instrument, the power of attorney shall be presumed to have been 486  
executed and acknowledged before the execution and 487  
acknowledgment of the real property instrument. 488

(C) A power of attorney used for the execution of a real 489  
property instrument shall be recorded in the office of the 490  
county recorder of the county in which such property is 491  
situated, ~~previous to~~ before the recording of a deed, mortgage, 492

~~or lease the real property instrument executed by virtue of such~~ 493  
power of attorney. 494

For purposes of this section, a power of attorney that is 495  
known to have been recorded the same day, but after, the 496  
recording of the real property instrument shall be considered to 497  
have been recorded before the real property instrument. 498

If a power of attorney is not recorded before, or is not 499  
known to have been recorded on the same day as, the recording of 500  
the real property instrument executed by virtue of such power of 501  
attorney, the power of attorney may be subsequently placed of 502  
record as an attachment to a supporting affidavit made by any 503  
person having knowledge of the facts or competent to testify 504  
concerning them in open court, so long as the power of attorney 505  
was executed and acknowledged not later than the day of the 506  
execution of the real property instrument. The supporting 507  
affidavit shall include all of the following: 508

(1) The name of the person appearing by record to be the 509  
owner of the property described in the real property instrument 510  
executed by virtue of the power of attorney at the time of the 511  
recording of the affidavit; 512

(2) The permanent parcel number of the property; 513

(3) The legal description of the property subject to the 514  
real property instrument executed by virtue of the power of 515  
attorney; 516

(4) The official record reference of the real property 517  
instrument executed by virtue of the power of attorney; 518

(5) If the power of attorney that the affidavit 519  
accompanies is a photocopy of the power of attorney, rather than 520  
the original, a statement that the photocopy is a true and 521

accurate copy and a statement regarding why the original is not 522  
being recorded. 523

(D) The county recorder shall record the supporting 524  
affidavit in the official records, indexed by the name of the 525  
current record owner. 526

(E) Notwithstanding any contrary provision set forth in 527  
this section, a real property instrument executed by virtue of a 528  
power of attorney that has been of record for a period of ten 529  
years or more shall be presumed valid and of full force and 530  
effect if the power of attorney has not been placed of record. 531

(F) The amendments to this section by S.B. 94 of the 135th 532  
general assembly have no effect on the rights of a bona fide 533  
purchaser for value who acquired those rights without actual 534  
knowledge or constructive notice of the power of attorney, the 535  
real property instrument executed by virtue of the power of 536  
attorney, or an affidavit that meets the requirements of 537  
division (C) of this section. 538

(G) The amendments to this section by S.B. 94 of the 135th 539  
general assembly have no effect on the law of constructive 540  
notice or chain of title analysis set forth in *Spring Lakes* 541  
*Ltd. v. O.F.M. Co.*, 12 Ohio St.3d 333 (1984); *Ohio Turnpike* 542  
*Commission v. Spellman Outdoor Advertising Services, LLC*, 2010- 543  
Ohio-1705; and *Spellman Outdoor Advertising Services, LLC v.* 544  
*Ohio Turnpike and Infrastructure Commission*, 2016-Ohio-7152. 545

(H) The amendments to this section by S.B. 94 of the 135th 546  
general assembly shall be given retroactive effect to the 547  
fullest extent permitted under Section 28 of Article II, Ohio 548  
Constitution. The amendments to this section shall not be given 549  
retroactive effect if to do so would affect any accrued 550

substantive right or vested rights in any person or in any real 551  
property instrument. 552

**Sec. 1901.261.** (A) (1) A municipal court may determine that 553  
for the efficient operation of the court additional funds are 554  
required to computerize the court, to make available 555  
computerized legal research services, or to do both. Upon making 556  
a determination that additional funds are required for either or 557  
both of those purposes, the court shall include in its schedule 558  
of fees and costs under section 1901.26 of the Revised Code one 559  
additional fee not to exceed three dollars on the filing of each 560  
cause of action or appeal equivalent to one described in 561  
division (A), (Q), or (U) of section 2303.20 of the Revised Code 562  
and shall direct the clerk of the court to charge the fee. 563

(2) All fees collected under this section shall be paid on 564  
or before the twentieth day of the month following the month in 565  
which they are collected to the county treasurer if the court is 566  
a county-operated municipal court or to the city treasurer if 567  
the court is not a county-operated municipal court. The 568  
treasurer shall place the funds from the fees in a separate fund 569  
to be disbursed upon an order of the court, subject to an 570  
appropriation by the board of county commissioners if the court 571  
is a county-operated municipal court or by the legislative 572  
authority of the municipal corporation if the court is not a 573  
county-operated municipal court, or upon an order of the court, 574  
subject to the court making an annual report available to the 575  
public listing the use of all such funds, in an amount not 576  
greater than the actual cost to the court of computerizing the 577  
court, procuring and maintaining computerized legal research 578  
services, or both. 579

(3) If the court determines that the funds in the fund 580

described in division (A) (2) of this section are more than 581  
sufficient to satisfy the purpose for which the additional fee 582  
described in division (A) (1) of this section was imposed, the 583  
court may declare a surplus in the fund and, subject to an 584  
appropriation by the board of county commissioners if the court 585  
is a county-operated municipal court or by the legislative 586  
authority of the municipal corporation if the court is not a 587  
county-operated municipal court, expend those surplus funds, or 588  
upon an order of the court, subject to the court making an 589  
annual report available to the public listing the use of all 590  
such funds, expend those surplus funds, for other appropriate 591  
technological expenses of the court. 592

~~(B) (1) A(B) (1) (a) Except as provided in division (B) (1) (b)~~ 593  
of this section, the clerk of a municipal court may determine 594  
that, for the efficient operation of the office of the clerk of 595  
the municipal court, additional funds are required to 596  
computerize the office of the clerk of the court and, upon that 597  
determination, may ~~include in its schedule of fees and costs~~ 598  
~~under section 1901.26 of the Revised Code an additional~~ 599  
authorize and direct that a computerization fee not to exceed 600  
ten twenty dollars be charged on the filing of each cause of 601  
action or appeal, on the filing, docketing, and endorsing of 602  
each certificate of judgment, or on the docketing and indexing 603  
of each aid in execution or petition to vacate, revive, or 604  
modify a judgment that is equivalent to one described in 605  
division (A), (P), (Q), (T), or (U) of section 2303.20 of the 606  
Revised Code. 607

(b) In a county in which the clerk of the municipal court 608  
is appointed, the municipal court may make the determination 609  
described in division (B) (1) (a) of this section and, upon that 610  
determination, may include such a computerization fee in its 611

schedule of fees and costs under section 1901.26 of the Revised 612  
Code. 613

(2) Subject to division ~~(B) (2)~~ (B) (3) of this section, all 614  
moneys collected under division ~~(B) (1)~~ (B) (1) (a) of this section 615  
shall be paid on or before the twentieth day of the month 616  
following the month in which they are collected to the county 617  
treasurer if the court is a county-operated municipal court or 618  
to the city treasurer if the court is not a county-operated 619  
municipal court. The treasurer shall place the funds from the 620  
fees in a separate fund to be disbursed, ~~upon an order of the~~ 621  
~~municipal court~~ and subject to an appropriation made by the 622  
board of county commissioners if the court is a county-operated 623  
municipal court or by the legislative authority of the municipal 624  
corporation if the court is not a county-operated municipal 625  
court, in an amount no greater than the actual cost to the court 626  
of procuring and maintaining computer systems for the office of 627  
the clerk of the municipal court. 628

~~(2)~~ (3) If a municipal court or the clerk of a municipal 629  
court makes the determination described in division ~~(B) (1)~~ (B) (1) 630  
(a) of this section, the board of county commissioners of the 631  
county if the court is a county-operated municipal court or the 632  
legislative authority of the municipal corporation if the court 633  
is not a county-operated municipal court, may issue one or more 634  
general obligation bonds for the purpose of procuring and 635  
maintaining the computer systems for the office of the clerk of 636  
the municipal court. In addition to the purposes stated in 637  
division ~~(B) (1)~~ (B) (1) (a) of this section for which the moneys 638  
collected under that division may be expended, the moneys 639  
additionally may be expended to pay debt charges and financing 640  
costs related to any general obligation bonds issued pursuant to 641  
division ~~(B) (2)~~ (B) (3) of this section as they become due. 642

General obligation bonds issued pursuant to division ~~(B)(2)~~(B)  
(3) of this section are Chapter 133. securities. 643  
644

Sec. 1901.313. (A) Beginning not later than two hundred 645  
seventy days after the effective date of this section, pleadings 646  
or documents may be filed with the clerk of court either in 647  
paper format or in electronic format. 648

(B) (1) The clerk shall determine whether the filing of 649  
pleadings or documents in electronic format may be accomplished 650  
either by electronic mail or through the use of an online 651  
platform. 652

(2) The fee for filing pleadings or documents in 653  
electronic format may be paid after the filing. The clerk shall 654  
not require that any fee for the filing of pleadings or 655  
documents in electronic format be paid before the filing, unless 656  
the clerk has provided for an electronic payment system for such 657  
filing. 658

(3) The clerk shall not require a fee for the filing of 659  
pleadings or documents in electronic format that is greater than 660  
the applicable fee for the filing of pleadings or documents in 661  
paper format. 662

(C) Pleadings and documents filed in paper format may be 663  
converted to an electronic format. Documents created by the 664  
clerk of court in the exercise of the clerk's duties may be 665  
created in an electronic format. 666

(D) When pleadings or documents are received or created 667  
in, or converted to, an electronic format as provided in this 668  
section, the pleadings or documents in that format shall be 669  
considered the official version of the record. 670

Sec. 1907.202. (A) Beginning not later than two hundred 671

seventy days after the effective date of this section, pleadings 672  
or documents may be filed with the clerk of the county court 673  
either in paper format or in electronic format. 674

(B)(1) The clerk shall determine whether the filing of 675  
pleadings or documents in electronic format may be accomplished 676  
either by electronic mail or through the use of an online 677  
platform. 678

(2) The fee for filing pleadings or documents in 679  
electronic format may be paid after the filing. The clerk shall 680  
not require that any fee for the filing of pleadings or 681  
documents in electronic format be paid before the filing, unless 682  
the clerk has provided for an electronic payment system for such 683  
filing. 684

(3) The clerk shall not require a fee for the filing of 685  
pleadings or documents in electronic format that is greater than 686  
the applicable fee for the filing of pleadings or documents in 687  
paper format. 688

(C) Pleadings and documents filed in paper format may be 689  
converted to an electronic format. Documents created by the 690  
clerk of the county court in the exercise of the clerk's duties 691  
may be created in an electronic format. 692

(D) When pleadings or documents are received or created 693  
in, or converted to, an electronic format as provided in this 694  
section, the pleadings or documents in that format shall be 695  
considered the official version of the record. 696

**Sec. 1907.261.** (A) (1) A county court may determine that 697  
for the efficient operation of the court additional funds are 698  
required to computerize the court, to make available 699  
computerized legal research services, or to do both. Upon making 700



a determination that additional funds are required for either or 701  
both of those purposes, the court shall include in its schedule 702  
of fees and costs under section 1907.24 of the Revised Code one 703  
additional fee not to exceed three dollars on the filing of each 704  
cause of action or appeal equivalent to one described in 705  
division (A), (Q), or (U) of section 2303.20 of the Revised Code 706  
and shall direct the clerk of the court to charge the fee. 707

(2) All fees collected under this section shall be paid on 708  
or before the twentieth day of the month following the month in 709  
which they are collected to the county treasurer. The treasurer 710  
shall place the funds from the fees in a separate fund to be 711  
disbursed either upon an order of the court, subject to an 712  
appropriation by the board of county commissioners, or upon an 713  
order of the court, subject to the court making an annual report 714  
available to the public listing the use of all such funds, in an 715  
amount not greater than the actual cost to the court of 716  
computerizing the court, procuring and maintaining computerized 717  
legal research services, or both. 718

(3) If the court determines that the funds in the fund 719  
described in division (A) (2) of this section are more than 720  
sufficient to satisfy the purpose for which the additional fee 721  
described in division (A) (1) of this section was imposed, the 722  
court may declare a surplus in the fund and, subject to an 723  
appropriation by the board of county commissioners, expend those 724  
surplus funds, or upon an order of the court, subject to the 725  
court making an annual report available to the public listing 726  
the use of all such funds, expend those surplus funds, for other 727  
appropriate technological expenses of the court. 728

(B) (1) A clerk of a county court may determine that, for 729  
the efficient operation of the office of the clerk of the court, 730

additional funds are required to computerize the office of the 731  
clerk of the court and, upon that determination, may ~~include in~~ 732  
~~its schedule of fees and costs under section 1907.24 of the~~ 733  
~~Revised Code~~ an additional authorize and direct that a 734  
computerization fee not to exceed ten twenty dollars be charged 735  
on the filing of each cause of action or appeal, on the filing, 736  
docketing, and endorsing of each certificate of judgment, or on 737  
the docketing and indexing of each aid in execution or petition 738  
to vacate, revive, or modify a judgment that is equivalent to 739  
one described in division (A), (P), (Q), (T), or (U) of section 740  
2303.20 of the Revised Code. Subject to division (B) (2) of this 741  
section, all moneys collected under division (B) (1) of this 742  
section shall be paid on or before the twentieth day of the 743  
month following the month in which they are collected to the 744  
county treasurer. The treasurer shall place the funds from the 745  
fees in a separate fund to be disbursed, ~~upon an order of the~~ 746  
~~county court~~ and subject to an appropriation made by the board 747  
of county commissioners, in an amount no greater than the actual 748  
cost to the court of procuring and maintaining computer systems 749  
for the office of the clerk of the county court. 750

(2) If a ~~county court~~ clerk of a county court makes the 751  
determination described in division (B) (1) of this section, the 752  
board of county commissioners of that county may issue one or 753  
more general obligation bonds for the purpose of procuring and 754  
maintaining the computer systems for the office of the clerk of 755  
the county court. In addition to the purposes stated in division 756  
(B) (1) of this section for which the moneys collected under that 757  
division may be expended, the moneys additionally may be 758  
expended to pay debt charges and financing costs related to any 759  
general obligation bonds issued pursuant to division (B) (2) of 760  
this section as they become due. General obligation bonds issued 761

pursuant to division (B)(2) of this section are Chapter 133. 762  
securities. 763

**Sec. 2303.081.** (A) Pleadings or documents may be filed 764  
with the clerk of court either in paper format or in electronic 765  
format. 766

(B)(1) The clerk shall determine whether the filing of 767  
pleadings or documents in electronic format may be accomplished 768  
either by electronic mail or through the use of an online 769  
platform. 770

(2) The fee for filing pleadings or documents in 771  
electronic format may be paid after the filing. The clerk shall 772  
not require that any fee for the filing of pleadings or 773  
documents in electronic format be paid before the filing, unless 774  
the clerk has provided for an electronic payment system for such 775  
filing. 776

(3) The clerk shall not require a fee for the filing of 777  
pleadings or documents in electronic format that is greater than 778  
the applicable fee for the filing of pleadings or documents in 779  
paper format. 780

(4) Divisions (B)(1), (2), and (3) of this section do not 781  
apply to the filing of pleadings or documents in a probate court 782  
or juvenile court. 783

(C) Pleadings and documents filed in paper format may be 784  
converted to an electronic format. Documents created by the 785  
clerk of court in the exercise of the clerk's duties may be 786  
created in an electronic format. 787

~~(B)~~(D) When pleadings or documents are received or 788  
created in, or converted to, an electronic format as provided in 789  
~~division (A) of this section,~~ the pleadings or documents in that 790

format shall be considered the official version of the record. 791

**Sec. 2303.201.** (A) (1) The court of common pleas of any 792  
county may determine that for the efficient operation of the 793  
court additional funds are required to computerize the court, to 794  
make available computerized legal research services, or to do 795  
both. Upon making a determination that additional funds are 796  
required for either or both of those purposes, the court shall 797  
authorize and direct the clerk of the court of common pleas to 798  
charge one additional fee, not to exceed six dollars, on the 799  
filing of each cause of action or appeal under divisions (A), 800  
(Q), and (U) of section 2303.20 of the Revised Code. 801

(2) All fees collected under division (A) (1) of this 802  
section shall be paid to the county treasurer. The treasurer 803  
shall place the funds from the fees in a separate fund to be 804  
disbursed either upon an order of the court, subject to an 805  
appropriation by the board of county commissioners, or upon an 806  
order of the court, subject to the court making an annual report 807  
available to the public listing the use of all such funds, in an 808  
amount not greater than the actual cost to the court of 809  
procuring and maintaining computerization of the court, 810  
computerized legal research services, or both. 811

(3) If the court determines that the funds in the fund 812  
described in division (A) (2) of this section are more than 813  
sufficient to satisfy the purpose for which the additional fee 814  
described in division (A) (1) of this section was imposed, the 815  
court may declare a surplus in the fund and, subject to an 816  
appropriation by the board of county commissioners, expend those 817  
surplus funds, or upon an order of the court, subject to the 818  
court making an annual report available to the public listing 819  
the use of all such funds, expend those surplus funds, for other 820

appropriate technological expenses of the court. 821

~~(B)(1)~~ The (B)(1)(a) Except as provided in division (B)(1) 822  
(b) of this section, the clerk of the court of common pleas of 823  
any county may determine that, for the efficient operation of 824  
the office of the clerk of the court of common pleas, additional 825  
funds are required to make technological advances in or to 826  
computerize the office of the clerk of the court of common pleas 827  
and, upon that determination, authorize and direct ~~the clerk of~~ 828  
~~the court of common pleas to charge that~~ an additional fee, not 829  
to exceed twenty dollars, on the filing of each cause of action 830  
or appeal, on the filing, docketing, and endorsing of each 831  
certificate of judgment, or on the docketing and indexing of 832  
each aid in execution or petition to vacate, revive, or modify a 833  
judgment under divisions (A), (P), (Q), (T), and (U) of section 834  
2303.20 of the Revised Code and not to exceed one dollar each 835  
for the services described in divisions (B), (C), (D), (F), (H), 836  
and (L) of section 2303.20 of the Revised Code, be charged. 837

(b) In a county in which the clerk of the court of common 838  
pleas is appointed, the county executive may make the 839  
determination described in division (B)(1)(a) of this section 840  
and, upon that determination, may include such a computerization 841  
fee in the schedule of fees and costs. 842

(2) Subject to division ~~(B)(2)~~ (B)(3) of this section, all 843  
moneys collected under division ~~(B)(1)~~ (B)(1)(a) of this section 844  
shall be paid to the county treasurer to be disbursed, ~~upon an~~ 845  
~~order of the court of common pleas and subject to an~~ 846  
appropriation made by the board of county commissioners, in an 847  
amount no greater than the actual cost to the court of procuring 848  
and maintaining technology and computer systems for the office 849  
of the clerk of the court of common pleas. 850

~~(2)~~(3) If the county executive or the clerk of the court 851  
of common pleas of a county makes the determination described in 852  
division ~~(B)(1)~~(B)(1)(a) of this section, the board of county 853  
commissioners of that county may issue one or more general 854  
obligation bonds for the purpose of procuring and maintaining 855  
the technology and computer systems for the office of the clerk 856  
of the court of common pleas. In addition to the purposes stated 857  
in division ~~(B)(1)~~(B)(1)(a) of this section for which the moneys 858  
collected under that division may be expended, the moneys 859  
additionally may be expended to pay debt charges on and 860  
financing costs related to any general obligation bonds issued 861  
pursuant to division ~~(B)(2)~~(B)(3) of this section as they become 862  
due. General obligation bonds issued pursuant to division ~~(B)(2)~~ 863  
(B)(3) of this section are Chapter 133. securities. 864

(C) The court of common pleas shall collect the sum of 865  
twenty-six dollars as additional filing fees in each new civil 866  
action or proceeding for the charitable public purpose of 867  
providing financial assistance to legal aid societies that 868  
operate within the state and to support the office of the state 869  
public defender. This division does not apply to a juvenile 870  
division of a court of common pleas, except that an additional 871  
filing fee of fifteen dollars shall apply to custody, 872  
visitation, and parentage actions; to a probate division of a 873  
court of common pleas, except that the additional filing fees 874  
shall apply to name change, guardianship, adoption, and 875  
decedents' estate proceedings; or to an execution on a judgment, 876  
proceeding in aid of execution, or other post-judgment 877  
proceeding arising out of a civil action. The filing fees 878  
required to be collected under this division shall be in 879  
addition to any other filing fees imposed in the action or 880  
proceeding and shall be collected at the time of the filing of 881

the action or proceeding. The court shall not waive the payment 882  
of the additional filing fees in a new civil action or 883  
proceeding unless the court waives the advanced payment of all 884  
filing fees in the action or proceeding. All such moneys 885  
collected during a month except for an amount equal to up to one 886  
per cent of those moneys retained to cover administrative costs 887  
shall be transmitted on or before the twentieth day of the 888  
following month by the clerk of the court to the treasurer of 889  
state in a manner prescribed by the treasurer of state or by the 890  
Ohio access to justice foundation. The treasurer of state shall 891  
deposit four per cent of the funds collected under this division 892  
to the credit of the civil case filing fee fund established 893  
under section 120.07 of the Revised Code and ninety-six per cent 894  
of the funds collected under this division to the credit of the 895  
legal aid fund established under section 120.52 of the Revised 896  
Code. 897

The court may retain up to one per cent of the moneys it 898  
collects under this division to cover administrative costs, 899  
including the hiring of any additional personnel necessary to 900  
implement this division. If the court fails to transmit to the 901  
treasurer of state the moneys the court collects under this 902  
division in a manner prescribed by the treasurer of state or by 903  
the Ohio access to justice foundation, the court shall forfeit 904  
the moneys the court retains under this division to cover 905  
administrative costs, including the hiring of any additional 906  
personnel necessary to implement this division, and shall 907  
transmit to the treasurer of state all moneys collected under 908  
this division, including the forfeited amount retained for 909  
administrative costs, for deposit in the legal aid fund. 910

(D) On and after the thirtieth day after December 9, 1994, 911  
the court of common pleas shall collect the sum of thirty-two 912

dollars as additional filing fees in each new action or 913  
proceeding for annulment, divorce, or dissolution of marriage 914  
for the purpose of funding shelters for victims of domestic 915  
violence pursuant to sections 3113.35 to 3113.39 of the Revised 916  
Code. The filing fees required to be collected under this 917  
division shall be in addition to any other filing fees imposed 918  
in the action or proceeding and shall be collected at the time 919  
of the filing of the action or proceeding. The court shall not 920  
waive the payment of the additional filing fees in a new action 921  
or proceeding for annulment, divorce, or dissolution of marriage 922  
unless the court waives the advanced payment of all filing fees 923  
in the action or proceeding. On or before the twentieth day of 924  
each month, all moneys collected during the immediately 925  
preceding month pursuant to this division shall be deposited by 926  
the clerk of the court into the county treasury in the special 927  
fund used for deposit of additional marriage license fees as 928  
described in section 3113.34 of the Revised Code. Upon their 929  
deposit into the fund, the moneys shall be retained in the fund 930  
and expended only as described in section 3113.34 of the Revised 931  
Code. 932

(E) (1) The court of common pleas may determine that, for 933  
the efficient operation of the court, additional funds are 934  
necessary to acquire and pay for special projects of the court, 935  
including, but not limited to, the acquisition of additional 936  
facilities or the rehabilitation of existing facilities, the 937  
acquisition of equipment, the hiring and training of staff, 938  
community service programs, mediation or dispute resolution 939  
services, the employment of magistrates, the training and 940  
education of judges, acting judges, and magistrates, and other 941  
related services. Upon that determination, the court by rule may 942  
charge a fee, in addition to all other court costs, on the 943



filing of each criminal cause, civil action or proceeding, or 944  
judgment by confession. 945

If the court of common pleas offers or requires a special 946  
program or additional services in cases of a specific type, the 947  
court by rule may assess an additional charge in a case of that 948  
type, over and above court costs, to cover the special program 949  
or service. The court shall adjust the special assessment 950  
periodically, but not retroactively, so that the amount assessed 951  
in those cases does not exceed the actual cost of providing the 952  
service or program. 953

All moneys collected under division (E) of this section 954  
shall be paid to the county treasurer for deposit into either a 955  
general special projects fund or a fund established for a 956  
specific special project. Moneys from a fund of that nature 957  
shall be disbursed upon an order of the court, subject to an 958  
appropriation by the board of county commissioners, in an amount 959  
no greater than the actual cost to the court of a project. If a 960  
specific fund is terminated because of the discontinuance of a 961  
program or service established under division (E) of this 962  
section, the court may order, subject to an appropriation by the 963  
board of county commissioners, that moneys remaining in the fund 964  
be transferred to an account established under this division for 965  
a similar purpose. 966

(2) As used in division (E) of this section: 967

(a) "Criminal cause" means a charge alleging the violation 968  
of a statute or ordinance, or subsection of a statute or 969  
ordinance, that requires a separate finding of fact or a 970  
separate plea before disposition and of which the defendant may 971  
be found guilty, whether filed as part of a multiple charge on a 972  
single summons, citation, or complaint or as a separate charge 973

on a single summons, citation, or complaint. "Criminal cause" 974  
does not include separate violations of the same statute or 975  
ordinance, or subsection of the same statute or ordinance, 976  
unless each charge is filed on a separate summons, citation, or 977  
complaint. 978

(b) "Civil action or proceeding" means any civil 979  
litigation that must be determined by judgment entry. 980

**Sec. 2329.02.** Any judgment or decree rendered by any court 981  
of general jurisdiction, including district courts of the United 982  
States, within this state shall be a lien upon lands and 983  
tenements of each judgment debtor within any county of this 984  
state from the time there is filed in the office of the clerk of 985  
the court of common pleas of such county a certificate of such 986  
judgment, setting forth ~~the~~ all of the following: 987

(A) The court in which the same was rendered, ~~the;~~ 988

(B) The title and number of the action, ~~the;~~ 989

(C) The names of the judgment creditors and judgment 990  
debtors, ~~the;~~ 991

(D) The last known address, without further inquiry or 992  
investigation, that is not a post office box, of each judgment 993  
debtor; 994

(E) The amount of the judgment and costs, ~~the;~~ 995

(F) The rate of interest, if the judgment provides for 996  
interest, and the date from which such interest accrues, ~~the;~~ 997

(G) The date of rendition of the judgment, ~~and the;~~ 998

(H) The volume and page, or instrument number, if any, of 999  
the journal entry thereof. 1000

No such judgment or decree shall be a lien upon any lands, 1001  
whether or not situated within the county in which such judgment 1002  
is rendered, registered under sections 5309.02 to 5309.98, ~~—~~ 1003  
~~inclusive,~~ and 5310.01 to 5310.21, ~~inclusive,~~ of the Revised 1004  
Code, until a certificate under the hand and official seal of 1005  
the clerk of the court in which the same is entered or of 1006  
record, stating the date and purport of the judgment, giving the 1007  
number of the case, the full names of the parties, plaintiff and 1008  
defendant, the last known address that is not a post office box 1009  
of each defendant, and the volume and page, or instrument 1010  
number, of the journal or record in which it is entered, or a 1011  
certified copy of such judgment, stating such facts, is filed 1012  
and noted in the office of the county recorder of the county in 1013  
which the land is situated, and a memorial of the same is 1014  
entered upon the register of the last certificate of title to 1015  
the land to be affected. 1016

Such certificate shall be made by the clerk of the court 1017  
in which the judgment was rendered, under the seal of said 1018  
court, upon the order of any person in whose favor such judgment 1019  
was rendered or upon the order of any person claiming under ~~him~~ 1020  
a person in whose favor such judgment was rendered, and shall be 1021  
delivered to the party so ordering the same; and the fee 1022  
therefor shall be taxed in the costs of the action. 1023

When any such certificate is delivered to the clerk of the 1024  
court of common pleas of any county in this state, the same 1025  
shall be filed by such clerk, and ~~he~~ the clerk shall docket and 1026  
index it under the names of the judgment creditors and the 1027  
judgment debtors in a judgment docket or similar record, which 1028  
shall show as to each judgment all of the matters set forth in 1029  
such certificate as required by this section. The fee for such 1030  
filing, docketing, and indexing shall be taxed as increased 1031

costs of such judgment upon such judgment docket or similar 1032  
record and shall be included in the lien of the judgment. 1033

When the clerk of any court, other than that rendering the 1034  
judgment, in whose office any such certificate is filed, has 1035  
docketed and indexed the same, ~~the~~ the clerk shall indorse upon 1036  
such certificate the fact of such filing with the date thereof 1037  
and the volume and page of the docket entry of such certificate 1038  
and shall return the same so indorsed to the clerk of the court 1039  
in which the judgment was rendered, who shall note upon the 1040  
original docket the fact of the filing of said certificate, 1041  
showing the county in which the same was filed and the date of 1042  
such filing. When such certificate is filed, docketed, and 1043  
indexed in the office of the clerk of the court which rendered 1044  
the judgment, such clerk shall likewise indorse the certificate 1045  
and make like notation upon the original docket. 1046

Each such judgment shall be deemed to have been rendered 1047  
in the county in which is kept the journal of the court 1048  
rendering the same, in which journal such judgment is entered. 1049

Certificates or certified copies of judgments or decrees 1050  
of any courts of general jurisdiction, including district courts 1051  
of the United States, within this state, may be filed, 1052  
registered, noted, and memorials thereof entered, in the office 1053  
of the recorder of any county in which is situated land 1054  
registered under sections 5309.02 to 5309.98, ~~inclusive,~~ and 1055  
5310.01 to 5310.21, ~~inclusive,~~ of the Revised Code, for the 1056  
purpose of making such judgments liens upon such registered 1057  
land. 1058

Notwithstanding any other provision of the Revised Code, 1059  
any judgment issued in a court of record may be transferred to 1060  
any other court of record. Any proceedings for collection may be 1061

had on such judgment the same as if it had been issued by the 1062  
transferee court. 1063

Sec. 3320.05. (A) As used in sections 3320.05 to 3320.08 1064  
of the Revised Code: 1065

(1) "Harassment" has the same meaning as in section 1066  
3345.0211 of the Revised Code. 1067

(2) "Institution of higher education" means any of the 1068  
following: 1069

(a) A state institution of higher education as defined in 1070  
section 3345.011 of the Revised Code; 1071

(b) An institution holding a certificate of registration 1072  
from the state board of career colleges and schools and program 1073  
authorization for an associate or bachelor's degree program 1074  
issued under section 3332.05 of the Revised Code; 1075

(c) A private institution exempt from regulation under 1076  
Chapter 3332. of the Revised Code as prescribed in section 1077  
3333.046 of the Revised Code. 1078

(3) "Intimidation" means the violation of ethnic 1079  
intimidation described in section 2927.12 of the Revised Code. 1080

(4) "Private nonprofit institution of higher education" 1081  
means a nonprofit institution holding a certificate of 1082  
authorization pursuant to Chapter 1713. of the Revised Code. 1083

(B) Each institution of higher education shall adopt and 1084  
enforce a policy regarding racial, religious, and ethnic 1085  
harassment and intimidation at the institution. The policy shall 1086  
include: 1087

(1) The provision of training for all institution 1088

administration, faculty, and staff, which shall include 1089  
information on how to respond to hate incidents or incidents of 1090  
harassment that occur during a class or event held at the 1091  
institution at the time the incident occurs. This training may 1092  
be provided online. 1093

(2) Procedures for accepting and investigating student 1094  
complaints and allegations of racial, religious, or ethnic 1095  
harassment or intimidation against any student, staff, or 1096  
faculty member. The procedures shall include: 1097

(a) An option to submit complaints and report threats 1098  
anonymously; 1099

(b) Potential disciplinary actions that may be taken after 1100  
an investigation is conducted; 1101

(c) At the conclusion of an investigation, any mandatory 1102  
communications, regardless of whether disciplinary action is 1103  
taken. These communications may include educational information 1104  
on the institution's policy against racial, religious, and 1105  
ethnic harassment and intimidation. 1106

(C) Each institution of higher education shall ensure 1107  
that, to the extent possible and as needed, its campus security 1108  
and police department, if the institution has one, collaborate 1109  
with local law enforcement, the state highway patrol, and 1110  
student communities to provide security functions for 1111  
institutionally sanctioned student organizations that face 1112  
threats of terror attack or hate crimes. 1113

(D) Each institution of higher education shall create a 1114  
campus task force on combating antisemitism, Islamophobia, anti- 1115  
Christian discrimination, and hatred, harassment, bullying, or 1116  
violence toward others on the basis of their actual religious 1117

identity or what is assumed to be their religious identity at 1118  
the institution. 1119

(E) Nothing in this section shall be construed to diminish 1120  
or infringe upon any right protected under the First Amendment 1121  
to the United States Constitution, Article I, Sections 3 and 11 1122  
of the Ohio Constitution, or noncommercial expressive activity 1123  
as defined in section 3345.0212 of the Revised Code. 1124

**Sec. 3320.06.** (A) Each private nonprofit institution of 1125  
higher education shall adopt and enforce a policy regarding 1126  
racial and ethnic harassment and intimidation at the 1127  
institution. The policy shall include: 1128

(1) The provision of training for all institution 1129  
administration, faculty, and staff, which shall include 1130  
information on how to respond to hate incidents or incidents of 1131  
harassment that occur during a class or event held at the 1132  
institution at the time the incident occurs. This training may 1133  
be provided online. 1134

(2) Procedures for accepting and investigating student 1135  
complaints and allegations of racial or ethnic harassment or 1136  
intimidation against any student, staff, or faculty member. The 1137  
procedure shall include: 1138

(a) An option to submit complaints and report threats 1139  
anonymously; 1140

(b) Potential disciplinary actions that may be taken after 1141  
an investigation is conducted; 1142

(c) At the conclusion of an investigation, any mandatory 1143  
communications, regardless of whether disciplinary action is 1144  
taken. These communications may include educational information 1145  
on the institution's policy against racial and ethnic harassment 1146

and intimidation. 1147

(B) Each private nonprofit institution of higher education 1148  
shall ensure that, to the extent possible and as needed, its 1149  
campus security and police department, if the institution has 1150  
one, collaborate with local law enforcement, the state highway 1151  
patrol, and student communities to provide security functions 1152  
consistent with institutional policies for institutionally 1153  
sanctioned student organizations that face threats of terror 1154  
attacks or hate crimes. 1155

(C) Each private nonprofit institution of higher education 1156  
shall create a campus task force on combating antisemitism, 1157  
Islamophobia, anti-Christian discrimination, and hatred, 1158  
harassment, bullying, or violence toward others. 1159

(D) In the event of a conflict between any provision of 1160  
this section and the United States Constitution, any other 1161  
provision of federal law applicable to nonprofit institutions of 1162  
higher education, or Article I, Sections 3 and 11 of the Ohio 1163  
Constitution, the other provision of law controls. 1164

**Sec. 3320.07.** Each institution of higher education and 1165  
private nonprofit institution of higher education shall submit 1166  
an annual report to the chancellor of all harassment and 1167  
intimidation reports submitted to the federal government 1168  
consistent with the "Jeanne Clery Disclosure of Campus Security 1169  
Policy and Campus Crime Statistics Act," 20 U.S.C. 1092(f). 1170

**Sec. 3320.08.** Each state institution of higher education, 1171  
as defined in section 3345.011 of the Revised Code, shall 1172  
publicize on its web site any time, place, or manner 1173  
restrictions it places on expressive activities, as defined in 1174  
section 3345.0211 of the Revised Code. 1175



<u>Sec. 3333.0419. (A) The chancellor of higher education</u>	1176
<u>shall do all of the following:</u>	1177
<u>(1) Conduct a survey of each undergraduate and graduate</u>	1178
<u>educator preparation program for teachers and administrators</u>	1179
<u>that is offered by an institution of higher education to</u>	1180
<u>determine what instruction the programs are providing to</u>	1181
<u>students in mental and behavioral health, behavior management,</u>	1182
<u>and classroom management, including how they are incorporating</u>	1183
<u>education on adverse childhood experiences and trauma. The</u>	1184
<u>survey shall focus on the current instruction provided by the</u>	1185
<u>preparation programs, including all of the following:</u>	1186
<u>(a) Processes for establishing a positive school and</u>	1187
<u>classroom climate;</u>	1188
<u>(b) Knowledge of the reasons for disruptive behaviors and</u>	1189
<u>how teacher and administrator actions impact the classroom and</u>	1190
<u>school climate;</u>	1191
<u>(c) Evidence-based techniques for preventing, managing,</u>	1192
<u>and responding to mild, moderate, and more disruptive student</u>	1193
<u>behaviors;</u>	1194
<u>(d) Processes for fostering and maintaining positive</u>	1195
<u>teacher and student relationships;</u>	1196
<u>(e) Procedures for designing and using trauma-informed</u>	1197
<u>instructional approaches;</u>	1198
<u>(f) Processes for using restorative practices in response</u>	1199
<u>to disruptive behaviors;</u>	1200
<u>(g) Techniques provided to teachers and administrators to</u>	1201
<u>manage their own stress and foster their own well-being.</u>	1202
<u>The survey shall be created in conjunction with the</u>	1203

department of education and workforce. 1204

(2) In conjunction with the department of education and 1205  
workforce, use the survey results to develop a summary of the 1206  
instructional strategies, practices, and content of surveyed 1207  
preparation programs, including institution-level summaries; 1208

(3) In conjunction with the department of education and 1209  
workforce, develop a report that analyzes the survey's findings 1210  
to make recommendations for evidence-based and evidence-informed 1211  
strategies, practices, and content to address identified needs 1212  
and equip educators to support student academic success and 1213  
well-being from early childhood education through the twelfth 1214  
grade. The recommendations shall address the following: 1215

(a) Classroom management; 1216

(b) Behavior management; 1217

(c) Mental health education; 1218

(d) The impact of adverse childhood experiences and trauma 1219  
on students. 1220

(B) Not later than one year after the effective date of 1221  
this section, the chancellor and director of education and 1222  
workforce jointly shall distribute the report to school 1223  
districts, the general assembly under section 101.68 of the 1224  
Revised Code, and the governor. 1225

**Sec. 3333.80.** (A) As used in this section, "institution of 1226  
higher education" means the following: 1227

(1) A state institution of higher education as defined in 1228  
section 3345.011 of the Revised Code; 1229

(2) A private college as defined in section 3365.01 of the 1230

Revised Code. 1231

(B) The chancellor of higher education shall establish and 1232  
administer the campus student safety grant program. Under the 1233  
program, the chancellor shall award grants to institutions of 1234  
higher education to enhance security measures and increase 1235  
student safety. The chancellor shall develop guidelines and 1236  
procedures for the program, including an application process, 1237  
criteria for awards, and a method to determine the distribution 1238  
of awards. Priority shall be given to institutions that 1239  
demonstrate increased threats of violent crime, terror attacks, 1240  
hate crimes, or harassment toward students and institutionally 1241  
sanctioned student organizations at the institution. 1242

Sec. 3333.801. (A) As used in this section, "institution 1243  
of higher education" means the following: 1244

(1) A state institution of higher education as defined in 1245  
section 3345.011 of the Revised Code; 1246

(2) A private college as defined in section 3365.01 of the 1247  
Revised Code. 1248

(B) The chancellor of higher education shall establish and 1249  
administer the campus community grant program. Under the 1250  
program, the chancellor shall provide funding to institutionally 1251  
sanctioned student organizations at institutions of higher 1252  
education to support intergroup and interfaith outreach and 1253  
cultural competency between institutionally sanctioned student 1254  
organizations. The chancellor shall develop guidelines and 1255  
procedures for the program, including an application process, 1256  
criteria for awards, and a method to determine the distribution 1257  
of awards. 1258

Sec. 3345.0210. (A) As used in this section: 1259

(1) "Community college" has the same meaning as in section 3333.168 of the Revised Code. 1260  
1261

(2) "Qualifying student" means a newly admitted full-time student who is seeking a degree. 1262  
1263

(3) "State university" has the same meaning as in section 3345.011 of the Revised Code. 1264  
1265

(B) Beginning one year after the effective date of this section, each state university shall, prior to the student decision deadline to accept admission from a university, provide a financial cost and aid disclosure form to a qualifying student with the student's initial financial aid packet. The form may be provided electronically and shall be based on the template developed or approved under division (E) of this section. The form shall not exceed one double-sided page in length when it is printed. 1266  
1267  
1268  
1269  
1270  
1271  
1272  
1273  
1274

(C) The university shall include all of the following information in the form: 1275  
1276

(1) Costs associated with attendance including all of the following: 1277  
1278

(a) General and instructional fees; 1279

(b) Room and board, or a reasonable estimate of room and board if the qualifying student has not selected a room and board plan; 1280  
1281  
1282

(c) Special fees that the state university charges at the time the form is created. 1283  
1284

(2) The qualifying student's aggregate cost of attendance, including the instructional, general, and special fees and room and board; 1285  
1286  
1287

(3) All available sources of financial aid offered by the 1288  
state university for which the qualifying student would be 1289  
eligible including all of the following: 1290

(a) Any grants and scholarships the state university is 1291  
aware of and that it offers, including a description of any 1292  
requirements for maintaining that eligibility; 1293

(b) Federal student loans, including federal direct 1294  
subsidized and unsubsidized student loans; 1295

(c) Work study programs, including a description of any 1296  
requirements for maintaining that eligibility. 1297

(4) The qualifying student's expected net cost of 1298  
attendance after the student's aggregate financial aid, 1299  
including the student's grants, scholarships, loans, and work 1300  
study programs, is applied to the student's aggregate cost of 1301  
attendance; 1302

(5) The qualifying student's expected monthly education 1303  
loan payment upon graduation based on the student loans 1304  
described in division (C) (3) (b) of this section; 1305

(6) The income range between the twenty-fifth and seventy- 1306  
fifth percentiles for all of the following: 1307

(a) The state university's most recent cohort of 1308  
graduates; 1309

(b) The state university's cohort of graduates who 1310  
graduated five years prior to the qualifying student's admission 1311  
to the university; 1312

(c) If the qualifying student has declared a major or 1313  
enrolled in a particular school at the state university, the 1314  
university shall include income ranges for graduates who had 1315

that major or were enrolled in that school. 1316

(D) Beginning one year after the effective date of this 1317  
section, each community college shall provide a qualifying 1318  
student a financial cost and aid disclosure form with the 1319  
student's financial aid award letter. The form shall be based on 1320  
the template developed or approved under division (E) of this 1321  
section. The form may be provided electronically and shall not 1322  
exceed one double-sided page in length when it is printed. 1323

(1) A community college shall include the information 1324  
described in divisions (C)(1) to (5) of this section in the 1325  
financial cost and aid disclosure form. Nothing in this section 1326  
shall be construed to prohibit a community college from 1327  
providing financial counseling, including advising students on 1328  
expected monthly loan payments for total loan amounts a student 1329  
may borrow. 1330

(2) A community college shall provide a qualifying 1331  
student, with the student's acceptance letter, a link to a 1332  
readily available page on the college's web site that contains 1333  
information on the income ranges described in division (C)(6) of 1334  
this section. 1335

(E) The chancellor of higher education shall develop a 1336  
financial cost and aid disclosure form template or approve an 1337  
existing alternative that addresses the information described in 1338  
division (C) of this section. The chancellor shall develop or 1339  
approve the template in consultation with the United States 1340  
department of education and financial aid directors from state 1341  
institutions of higher education to ensure alignment with the 1342  
United States department of education's college financing plan 1343  
and other federal financing tools. 1344

**Sec. 3735.671.** (A) If construction or remodeling of 1345  
commercial or industrial property is to be exempted from 1346  
taxation pursuant to section 3735.67 of the Revised Code, the 1347  
legislative authority and the owner of the property, prior to 1348  
the commencement of construction or remodeling, shall enter into 1349  
a written agreement, binding on both parties for a period of 1350  
time that does not end prior to the end of the period of the 1351  
exemption, that includes all of the information and statements 1352  
described in divisions (B) (1) to (8) of this section. Agreements 1353  
may include terms not described in those divisions or otherwise 1354  
prescribed by the model agreement adopted by the director of 1355  
development under division (B) of this section, but such terms 1356  
shall in no way derogate from the information and statements 1357  
described in divisions (B) (1) to (8) of this section. 1358

(1) Except as otherwise provided in division (A) (2) or (3) 1359  
of this section, an agreement entered into under this section 1360  
shall not be approved by the legislative authority unless the 1361  
board of education of the city, local, or exempted village 1362  
school district within the territory of which the property is or 1363  
will be located approves the agreement. For the purpose of 1364  
obtaining such approval, the legislative authority shall certify 1365  
a copy of the agreement to the board of education not later than 1366  
forty-five days prior to approving the agreement, excluding 1367  
Saturday, Sunday, and a legal holiday as defined in section 1.14 1368  
of the Revised Code. The board of education, by resolution 1369  
adopted by a majority of the board, shall approve or disapprove 1370  
the agreement and certify a copy of the resolution to the 1371  
legislative authority not later than fourteen days prior to the 1372  
date stipulated by the legislative authority as the date upon 1373  
which approval of the agreement is to be formally considered by 1374  
the legislative authority. The board of education may include in 1375

the resolution conditions under which the board would approve 1376  
the agreement. The legislative authority may approve an 1377  
agreement at any time after the board of education certifies its 1378  
resolution approving the agreement to the legislative authority, 1379  
or, if the board approves the agreement conditionally, at any 1380  
time after the conditions are agreed to by the board and the 1381  
legislative authority. 1382

(2) Approval of an agreement by the board of education is 1383  
not required under division (A)(1) of this section if, for each 1384  
tax year the real property is exempted from taxation, the sum of 1385  
the following quantities, as estimated at or prior to the time 1386  
the agreement is formally approved by the legislative authority, 1387  
equals or exceeds twenty-five per cent of the amount of taxes, 1388  
as estimated at or prior to that time, that would have been 1389  
charged and payable that year upon the real property had that 1390  
property not been exempted from taxation: 1391

(a) The amount of taxes charged and payable on any portion 1392  
of the assessed valuation of the new structure or of the 1393  
increased assessed valuation of an existing structure after 1394  
remodeling began that will not be exempted from taxation under 1395  
the agreement; 1396

(b) The amount of taxes charged and payable on tangible 1397  
personal property located on the premises of the new structure 1398  
or of the structure to be remodeled under the agreement, whether 1399  
payable by the owner of the structure or by a related member, as 1400  
defined in section 5733.042 of the Revised Code without regard 1401  
to division (B) of that section. 1402

(c) The amount of any cash payment by the owner of the new 1403  
structure or structure to be remodeled to the school district, 1404  
the dollar value, as mutually agreed to by the owner and the 1405



board of education, of any property or services provided by the 1406  
owner of the property to the school district, whether by gift, 1407  
loan, or otherwise, and any payment by the legislative authority 1408  
to the school district pursuant to section 5709.82 of the 1409  
Revised Code. 1410

The estimates of quantities used for purposes of division 1411  
(A) (2) of this section shall be estimated by the legislative 1412  
authority. The legislative authority shall certify to the board 1413  
of education that the estimates have been made in good faith. 1414  
Departures of the actual quantities from the estimates 1415  
subsequent to approval of the agreement by the board of 1416  
education do not invalidate the agreement. 1417

(3) If a board of education has adopted a resolution 1418  
waiving its right to approve agreements and the resolution 1419  
remains in effect, approval of an agreement by the board is not 1420  
required under division (A) (1) of this section. If a board of 1421  
education has adopted a resolution allowing a legislative 1422  
authority to deliver the notice required under this division 1423  
fewer than forty-five business days prior to the legislative 1424  
authority's execution of the agreement, the legislative 1425  
authority shall deliver the notice to the board not later than 1426  
the number of days prior to such execution as prescribed by the 1427  
board in its resolution. If a board of education adopts a 1428  
resolution waiving its right to approve agreements or shortening 1429  
the notification period, the board shall certify a copy of the 1430  
resolution to the legislative authority. If the board of 1431  
education rescinds such a resolution, it shall certify notice of 1432  
the rescission to the legislative authority. 1433

(4) If the owner of the property or the legislative 1434  
authority agree to make any payment to the school district as 1435

described in division (A) (2) (c) of this section, the owner or 1436  
legislative authority shall agree to make payments to the joint 1437  
vocational school district within which the property is located 1438  
at the same rate or amount and under the same terms received by 1439  
the city, local, or exempted village school district. 1440

(B) The director of development shall adopt rules in 1441  
accordance with Chapter 119. of the Revised Code prescribing the 1442  
form of a model agreement that a legislative authority may, in 1443  
its discretion, use as the basis for an agreement to be executed 1444  
under this section. The model agreement may include any term 1445  
necessary for the administration and enforcement of such 1446  
agreements by the director and legislative authority, but must 1447  
include all of the following: 1448

(1) A space to include the description of real property to 1449  
be exempted from taxation under the agreement and to identify 1450  
the property's owners; 1451

(2) A space to denote the percentage of the assessed 1452  
valuation of real property exempted from taxation and the period 1453  
for which the exemption is granted; 1454

(3) A statement requiring the owner to pay real property 1455  
taxes not exempted under the agreement, as required by law, and 1456  
requiring rescission of the agreement if the owner fails to pay 1457  
those taxes beginning in and after the year any such taxes are 1458  
charged; 1459

(4) A statement that the owner certifies, at the time the 1460  
agreement is executed, that the owner does not owe any 1461  
delinquent property taxes or taxes for which the owner is liable 1462  
under Chapter 5735., 5739., 5741., 5743., 5747., or 5753. of the 1463  
Revised Code, or, if such delinquent taxes are owed, that the 1464

owner is paying the delinquent taxes pursuant to an undertaking 1465  
enforceable by the state or an agent or instrumentality thereof, 1466  
has filed a petition in bankruptcy, or has had a bankruptcy 1467  
petition filed against the owner; 1468

(5) A statement requiring the owner to provide to the 1469  
property tax incentive review council any information reasonably 1470  
required by the council to evaluate the applicant's compliance 1471  
with the agreement; 1472

(6) A statement that the agreement is not transferable or 1473  
assignable without the approval of the ~~local legislative~~ 1474  
authority; 1475

(7) A statement describing the circumstances under which 1476  
~~the legislative authority may revoke an agreement may be revoked~~ 1477  
~~by the local authority for noncompliance and the manner by which~~ 1478  
~~already received benefits may be recovered;~~ 1479

(8) A statement requiring the owner to provide an estimate 1480  
of the following for each agreement: 1481

(a) The number of employment opportunities created due to 1482  
the remodeling or construction, as well as the payroll 1483  
attributable to those opportunities; 1484

(b) The number of employment opportunities retained due to 1485  
the remodeling or construction, as well as the payroll 1486  
attributable to those opportunities. 1487

The model agreement shall also provide that a legislative 1488  
authority may, but is not required to, include a statement 1489  
describing the manner by which the legislative authority may 1490  
recover already-received benefits, which may include an action 1491  
brought in law or equity, a lien on the exempted property in the 1492  
amount to be recovered, or other means. In the case of a lien on 1493

the exempted property, the lien shall attach, and may be 1494  
perfected, collected, and enforced, in the same manner as a 1495  
mortgage lien on real property, and otherwise has the same force 1496  
and effect as a mortgage lien on real property. 1497

Once the director adopts rules prescribing a model 1498  
agreement under this division, the model agreement may not be 1499  
changed unless the director adopts, amends, or rescinds those 1500  
rules in accordance with Chapter 119. of the Revised Code. 1501

(C) If any person that is party to an agreement granting 1502  
an exemption from taxation discontinues operations at the 1503  
structure to which that exemption applies prior to the 1504  
expiration of the term of the agreement, that person, any 1505  
successor to that person, and any related member shall not enter 1506  
into an agreement under this section or section 5709.62, 1507  
5709.63, or 5709.632 of the Revised Code, and no legislative 1508  
authority shall enter into such an agreement with such a person, 1509  
successor, or related member prior to the expiration of three 1510  
years after the person's discontinuation of operations. As used 1511  
in this division, "successor" means a person to which the assets 1512  
or equity of another person has been transferred, which transfer 1513  
resulted in the full or partial nonrecognition of gain or loss, 1514  
or resulted in a carryover basis, both as determined by rule 1515  
adopted by the tax commissioner. "Related member" has the same 1516  
meaning as defined in section 5733.042 of the Revised Code 1517  
without regard to division (B) of that section. 1518

The director of development shall review all agreements 1519  
submitted to the director under section 3735.672 of the Revised 1520  
Code for the purpose of enforcing this division. If the director 1521  
determines there has been a violation of this division, the 1522  
director shall notify the legislative authority of such 1523

violation, and the legislative authority immediately shall 1524  
revoke the exemption granted under the agreement. 1525

**Sec. 4301.17.** (A) (1) Subject to local option as provided 1526  
in sections 4301.32 to 4301.40 of the Revised Code, five state 1527  
liquor stores or agencies may be established in each county. One 1528  
additional store may be established in any county for each 1529  
twenty thousand of population of that county or major fraction 1530  
thereof in excess of the first forty thousand, according to the 1531  
last preceding federal decennial census or according to the 1532  
population estimates certified by the department of development 1533  
between decennial censuses. A person engaged in a mercantile 1534  
business may act as the agent for the division of liquor control 1535  
for the sale of spirituous liquor in a municipal corporation, in 1536  
the unincorporated area of a township, or in an area designated 1537  
and approved as a resort area under section 4303.262 of the 1538  
Revised Code. The division shall fix the compensation for such 1539  
an agent in the manner it considers best, but the compensation 1540  
shall not exceed seven per cent of the gross sales made by the 1541  
agent in any one year. 1542

(2) The division shall adopt rules in accordance with 1543  
Chapter 119. of the Revised Code governing the allocation and 1544  
equitable distribution of agency store contracts. The division 1545  
shall comply with the rules when awarding a contract under 1546  
division (A) (1) of this section. 1547

(3) Pursuant to an agency store's contract, an agency 1548  
store may be issued a D-1 permit to sell beer, a D-2 permit to 1549  
sell wine and mixed beverages, and a D-5 permit to sell beer, 1550  
wine, mixed beverages, and spirituous liquor. 1551

(4) Pursuant to an agency store's contract, an agency 1552  
store may be issued a D-3 permit to sell spirituous liquor if 1553

the agency store contains at least ten thousand square feet of 1554  
sales floor area. A D-3 permit issued to an agency store shall 1555  
not be transferred to a new location. The division shall revoke 1556  
any D-3 permit issued to an agency store under division (A) (4) 1557  
of this section if the agent no longer operates the agency 1558  
store. The division shall not issue a D-3a permit to an agency 1559  
store. 1560

(5) An agency store to which a D-8 permit has been issued 1561  
may allow the ~~sale~~consumption of tasting samples of spirituous 1562  
liquor in accordance with section 4301.171 of the Revised Code. 1563

(6) An agency store may sell beer, wine, mixed beverages, 1564  
and spirituous liquor only between the hours of nine a.m. and 1565  
eleven p.m. 1566

(B) When an agency contract is proposed, when an existing 1567  
agency contract is assigned, when an existing agency proposes to 1568  
relocate, or when an existing agency is relocated and assigned, 1569  
before entering into any contract, consenting to any assignment, 1570  
or consenting to any relocation, the division shall notify the 1571  
legislative authority of the municipal corporation in which the 1572  
agency store is to be located, or the board of county 1573  
commissioners and the board of township trustees of the county 1574  
and the township in which the agency store is to be located if 1575  
the agency store is to be located outside the corporate limits 1576  
of a municipal corporation, of the proposed contract, 1577  
assignment, or relocation, and an opportunity shall be provided 1578  
officials or employees of the municipal corporation or county 1579  
and township for a complete hearing upon the advisability of 1580  
entering into the contract or consenting to the assignment or 1581  
relocation. When the division sends notice to the legislative 1582  
authority of the political subdivision, the division shall 1583

notify the chief peace officer of the political subdivision, who 1584  
may appear and testify, either in person or through a 1585  
representative, at any hearing held on the advisability of 1586  
entering into the contract or consenting to the assignment or 1587  
relocation. 1588

If the proposed agency store, the assignment of an agency 1589  
contract, or the relocation of an agency store would be located 1590  
within five hundred feet of a school, church, library, public 1591  
playground, or township park, the division shall not enter into 1592  
an agency contract until it has provided notice of the proposed 1593  
contract to the authorities in control of the school, church, 1594  
library, public playground, or township park and has provided 1595  
those authorities with an opportunity for a complete hearing 1596  
upon the advisability of entering into the contract. If an 1597  
agency store so located is operating under an agency contract, 1598  
the division may consent to relocation of the agency store or to 1599  
the assignment of that contract to operate an agency store at 1600  
the same location. The division may also consent to the 1601  
assignment of an existing agency contract simultaneously with 1602  
the relocation of the agency store. In any such assignment or 1603  
relocation, the assignee and the location shall be subject to 1604  
the same requirements that the existing location met at the time 1605  
that the contract was first entered into as well as any 1606  
additional requirements imposed by the division in rules adopted 1607  
by the superintendent of liquor control. The division shall not 1608  
consent to an assignment or relocation of an agency store until 1609  
it has notified the authorities in control of the school, 1610  
church, library, public playground, or township park and has 1611  
provided those authorities with an opportunity for a complete 1612  
hearing upon the advisability of consenting to the assignment or 1613  
relocation. 1614

Any hearing provided for in this division shall be held in 1615  
the central office of the division, except that upon written 1616  
request of the legislative authority of the municipal 1617  
corporation, the board of county commissioners, the board of 1618  
township trustees, or the authorities in control of the school, 1619  
church, library, public playground, or township park, the 1620  
hearing shall be held in the county seat of the county where the 1621  
proposed agency store is to be located. 1622

(C) All agency contracts entered into by the division 1623  
pursuant to this section shall be in writing and shall contain a 1624  
clause providing for the termination of the contract at will by 1625  
the division upon its giving ninety days' notice in writing to 1626  
the agent of its intention to do so. Any agency contract may 1627  
include a clause requiring the agent to report to the 1628  
appropriate law enforcement agency the name and address of any 1629  
individual under twenty-one years of age who attempts to make an 1630  
illegal purchase. 1631

The division shall issue a C-1 and C-2 permit to each 1632  
agent who prior to November 1, 1994, had not been issued both of 1633  
these permits, notwithstanding the population quota restrictions 1634  
contained in section 4303.29 of the Revised Code or in any rule 1635  
of the liquor control commission and notwithstanding the 1636  
requirements of section 4303.31 of the Revised Code. The 1637  
location of a C-1 or C-2 permit issued to such an agent shall 1638  
not be transferred. The division shall revoke any C-1 or C-2 1639  
permit issued to an agent under this paragraph if the agent no 1640  
longer operates an agency store. 1641

The division may enter into agreements with the department 1642  
of development to implement a minority loan program to provide 1643  
low-interest loans to minority business enterprises, as defined 1644



in section 122.71 of the Revised Code, that are awarded liquor 1645  
agency contracts or assignments. 1646

(D) If the division closes a state liquor store and 1647  
replaces that store with an agency store, any employees of the 1648  
division employed at that state liquor store who lose their jobs 1649  
at that store as a result shall be given preference by the agent 1650  
who operates the agency store in filling any vacancies that 1651  
occur among the agent's employees, if that preference does not 1652  
conflict with the agent's obligations pursuant to a collective 1653  
bargaining agreement. 1654

If the division closes a state liquor store and replaces 1655  
the store with an agency store, any employees of the division 1656  
employed at the state liquor store who lose their jobs at that 1657  
store as a result may displace other employees as provided in 1658  
sections 124.321 to 124.328 of the Revised Code. If an employee 1659  
cannot displace other employees and is laid off, the employee 1660  
shall be reinstated in another job as provided in sections 1661  
124.321 to 124.328 of the Revised Code, except that the 1662  
employee's rights of reinstatement in a job at a state liquor 1663  
store shall continue for a period of two years after the date of 1664  
the employee's layoff and shall apply to jobs at state liquor 1665  
stores located in the employee's layoff jurisdiction and any 1666  
layoff jurisdiction adjacent to the employee's layoff 1667  
jurisdiction. 1668

(E) The division shall require every agent to give bond 1669  
with surety to the satisfaction of the division, in the amount 1670  
the division fixes, conditioned for the faithful performance of 1671  
the agent's duties as prescribed by the division. 1672

**Sec. 4301.171.** (A) As used in this section: 1673

(1) "Broker" and "solicitor" have the same meanings as in 1674  
rules adopted by the superintendent of liquor control under 1675  
section 4303.25 of the Revised Code. 1676

(2) "Tasting sample" means a small amount of spirituous 1677  
liquor that is provided in a serving of not more than a quarter 1678  
ounce of spirituous liquor and, if provided, not more than one 1679  
ounce of nonalcoholic mixer to an authorized ~~purchaser~~person 1680  
and that allows the ~~purchaser~~person to determine, by tasting 1681  
only, the quality and character of the beverage. 1682

(3) "Trade marketing company" means a company that 1683  
solicits the purchase of beer and intoxicating liquor and 1684  
educates the public about beer and intoxicating liquor. 1685

(4) "Trade marketing professional" means an individual who 1686  
is an employee of, or is under contract with, a trade marketing 1687  
company and who has successfully completed a training program 1688  
described in section 4301.253 of the Revised Code. 1689

(B) Notwithstanding section 4301.24 of the Revised Code, 1690  
an agency store to which a D-8 permit has been issued may allow 1691  
a trade marketing professional, broker, or solicitor to offer 1692  
~~for sale~~ tasting samples of spirituous liquor when conducted in 1693  
accordance with this section. A tasting sample shall not be ~~sold~~ 1694  
provided for the purpose of general consumption. 1695

(C) Tasting samples of spirituous liquor may be offered 1696  
~~for sale~~ at an agency store by a trade marketing professional, 1697  
broker, or solicitor if all of the following apply: 1698

(1) The tasting samples are ~~sold~~provided only in the area 1699  
of the agency store in which spirituous liquor is sold and that 1700  
area is open to the public. 1701

(2) The tasting samples are ~~sold~~provided only by the 1702

trade marketing professional, broker, or solicitor. 1703

(3) The spirituous liquor is registered under division (A) 1704

(8) of section 4301.10 of the Revised Code. 1705

(4) Not less than ten business days prior to the 1706

~~salesampling~~, the trade marketing professional, broker, or 1707

solicitor has provided written notice to the division of liquor 1708

control of the date and time of the sampling, and of the type 1709

and brand of spirituous liquor to be sampled at the agency 1710

store. 1711

(D) ~~A sale~~ The provision of tasting samples of spirituous 1712

liquor is subject to rules adopted by the superintendent of 1713

liquor control or the liquor control commission. 1714

(E) An offering ~~for sale~~ of tasting samples of spirituous 1715

liquor shall be limited to a period of not more than two hours. 1716

(F) For purposes of offering ~~for sale~~ tasting samples of 1717

spirituous liquor, a trade marketing professional, broker, or 1718

solicitor shall purchase the spirituous liquor from the agency 1719

store at the current retail price. An authorized ~~purchaser~~ 1720

person shall not be charged not less than fifty cents for each a 1721

tasting sample of spirituous liquor. When ~~the sale of tasting~~ 1722

~~samples sampling~~ of spirituous liquor at an agency store is 1723

completed, any bottles of spirituous liquor used to provide 1724

tasting samples that are not empty shall be marked as "sample" 1725

and removed from the agency store by the trade marketing 1726

professional, broker, or solicitor, as applicable. 1727

(G) No trade marketing professional, broker, or solicitor 1728

shall do any of the following: 1729

(1) Advertise the offering ~~for sale~~ of tasting samples of 1730

spirituous liquor other than at the agency store where the 1731

tasting samples will be offered or as provided in section 1732  
4301.245 of the Revised Code; 1733

(2) Solicit orders or ~~make sales of~~ offer tasting samples 1734  
of spirituous liquor ~~for in~~ quantities greater than those 1735  
specified in division (G) (3) of this section; 1736

(3) Allow any authorized ~~purchaser person~~ to consume more 1737  
than four tasting samples of spirituous liquor per day. 1738

(H) The ~~purchase~~ consumption of a tasting sample of 1739  
spirituous liquor shall not be contingent upon the purchase of 1740  
any other product from an agency store. 1741

(I) No employee of an agency store that allows the ~~sale~~  
consumption of tasting samples of spirituous liquor shall 1742  
~~purchase or~~ consume a tasting sample while on duty. 1743  
1744

(J) If an employee of an agency store that allows the ~~sale~~  
consumption of tasting samples of spirituous liquor consumes a 1745  
tasting sample of spirituous liquor, the employee shall not 1746  
perform the employee's duties and responsibilities at the agency 1747  
store on the day the tasting sample is consumed. 1748  
1749

(K) No person under twenty-one years of age shall consume 1750  
a tasting sample of spirituous liquor. 1751

(L) Not more than ten events at which ~~the sale of~~ tasting 1752  
samples of spirituous liquor are offered shall occur at an 1753  
agency store in a calendar month provided that: 1754

(1) Not more than two events shall occur in the same day; 1755  
and 1756

(2) There is not less than one hour between the end of one 1757  
event and the beginning of the next event. 1758

(M) No trade marketing professional, trade marketing  
company, broker, solicitor, owner or operator of an agency  
store, or an agent or employee of the owner or operator shall  
violate this section or any rules adopted by the superintendent  
or the commission for the purposes of this section.

**Sec. 4303.041.** ~~(A) An~~ (A) (1) Except as provided in  
division (A) (2) of this section, an A-3a permit may be issued to  
a distiller that manufactures less than one hundred thousand  
gallons of spirituous liquor per year. ~~An~~

(2) An A-3a permit holder issued an A-3a permit prior to  
the effective date of this amendment may manufacture any amount  
of spirituous liquor per year on and after the effective date of  
this amendment, regardless of whether the permit premises  
location or ownership of the permit premises is transferred and  
the permit holder is issued a new A-3a permit.

(3) An A-3a permit holder may sell to a personal consumer,  
in sealed containers for consumption off the premises where  
manufactured, spirituous liquor that the permit holder  
manufactures, but sales to the personal consumer may occur only  
by an in-person transaction at the permit premises. The A-3a  
permit holder shall not ship, send, or use an H permit holder to  
deliver spirituous liquor to the personal consumer.

"Distiller" means a person in this state who mashes,  
ferments, distills, and ages spirituous liquor.

(B) (1) Except as otherwise provided in this section, no A-  
3a permit shall be issued unless the sale of spirituous liquor  
by the glass for consumption on the premises or by the package  
for consumption off the premises is authorized in the election  
precinct in which the A-3a permit is proposed to be located.

(2) Division (B)(1) of this section does not prohibit the 1788  
issuance of an A-3a permit to an applicant for such a permit who 1789  
has filed an application with the division of liquor control 1790  
before March 22, 2012. 1791

(C) (1) An A-3a permit holder may offer for sale tasting 1792  
samples of spirituous liquor. The A-3a permit holder shall not 1793  
serve more than four tasting samples of spirituous liquor per 1794  
person per day. A tasting sample shall not exceed a quarter 1795  
ounce. Tasting samples shall be only for the purpose of allowing 1796  
a purchaser to determine, by tasting only, the quality and 1797  
character of the spirituous liquor. The tasting samples shall be 1798  
offered for sale in accordance with rules adopted by the 1799  
division of liquor control. 1800

(2) An A-3a permit holder shall sell not more than three 1801  
liters of spirituous liquor per day from the permit premises to 1802  
the same personal consumer. 1803

An A-3a permit holder may sell spirituous liquor in sealed 1804  
containers for consumption off the premises where manufactured 1805  
as an independent contractor under agreement, by virtue of the 1806  
permit, with the division of liquor control. The price at which 1807  
the A-3a permit holder shall sell each spirituous liquor product 1808  
to a personal consumer is to be determined by the division of 1809  
liquor control. For an A-3a permit holder to purchase and then 1810  
offer spirituous liquor for retail sale, the spirituous liquor 1811  
need not first leave the physical possession of the A-3a permit 1812  
holder to be so registered. The spirituous liquor that the A-3a 1813  
permit holder buys from the division of liquor control shall be 1814  
maintained in a separate area of the permit premises for sale to 1815  
personal consumers. The A-3a permit holder shall sell such 1816  
spirituous liquor in sealed containers for consumption off the 1817

premises where manufactured as an independent contractor by 1818  
virtue of the permit issued by the division of liquor control, 1819  
but the permit holder shall not be compensated as provided in 1820  
division (A) (1) of section 4301.17 of the Revised Code. Each A- 1821  
3a permit holder shall be subject to audit by the division of 1822  
liquor control. 1823

(D) The fee for the A-3a permit is two dollars per fifty- 1824  
gallon barrel. 1825

(E) The holder of an A-3a permit may also exercise the 1826  
same privileges as the holder of an A-3 permit. 1827

**Sec. 4303.184.** (A) Subject to division (B) of this 1828  
section, a D-8 permit may be issued to any of the following: 1829

(1) An agency store; 1830

(2) The holder of a C-1, C-2, or C-2x permit issued to a 1831  
retail store that has any of the following characteristics: 1832

(a) The store has at least five thousand five hundred 1833  
square feet of floor area, and it generates more than sixty per 1834  
cent of its sales in general merchandise items and food for 1835  
consumption off the premises where sold. 1836

(b) The store is located in a municipal corporation or 1837  
township with a population of five thousand or less, has at 1838  
least four thousand five hundred square feet of floor area, and 1839  
generates more than sixty per cent of its sales in general 1840  
merchandise items and food for consumption off the premises 1841  
where sold. 1842

(c) Wine constitutes at least sixty per cent of the value 1843  
of the store's inventory. 1844

(3) The holder of both a C-1 and C-2 permit, or the holder 1845

of a C-2x permit, issued to a retail store that is located 1846  
within a municipal corporation or township with a population of 1847  
fifteen thousand or less. 1848

(B) A D-8 permit may be issued to the holder of a C-1, C- 1849  
2, or C-2x permit only if the premises of the permit holder are 1850  
located in a precinct, or at a particular location in a 1851  
precinct, in which the sale of beer, wine, or mixed beverages is 1852  
permitted for consumption off the premises where sold. Sales 1853  
under a D-8 permit are not affected by whether sales for 1854  
consumption on the premises where sold are permitted in the 1855  
precinct or at the particular location where the D-8 premises 1856  
are located. 1857

(C) (1) The holder of a D-8 permit described in division 1858  
(A) (2) or (3) of this section may sell tasting samples of beer, 1859  
wine, and mixed beverages, but not spirituous liquor, at retail, 1860  
for consumption on the premises where sold in an amount not to 1861  
exceed two ounces or another amount designated by rule of the 1862  
liquor control commission. A tasting sample shall not be sold 1863  
for general consumption. 1864

(2) The holder of a D-8 permit described in division (A) 1865  
(1) of this section may allow the ~~sale~~consumption of tasting 1866  
samples of spirituous liquor in accordance with section 4301.171 1867  
of the Revised Code. 1868

(3) No D-8 permit holder described in division (A) (2) or 1869  
(3) of this section shall allow any authorized purchaser to 1870  
consume more than four tasting samples of beer, wine, or mixed 1871  
beverages, or any combination of beer, wine, or mixed beverages, 1872  
per day. 1873

(D) (1) Notwithstanding sections 4303.11 and 4303.121 of 1874



the Revised Code, the holder of a D-8 permit described in 1875  
division (A) (2) or (3) of this section may sell beer that is 1876  
dispensed from containers that have a capacity equal to or 1877  
greater than five and one-sixth gallons if all of the following 1878  
conditions are met: 1879

(a) A product registration fee for the beer has been paid 1880  
as required in division (A) (8) (b) of section 4301.10 of the 1881  
Revised Code. 1882

(b) The beer is dispensed only in glass containers whose 1883  
capacity does not exceed one gallon and not for consumption on 1884  
the premises where sold. 1885

(c) The containers are sealed, marked, and transported in 1886  
accordance with division (E) of section 4301.62 of the Revised 1887  
Code. 1888

(d) The containers have been cleaned immediately before 1889  
being filled in accordance with rule 4301:1-1-28 of the 1890  
Administrative Code. 1891

(2) Beer that is sold and dispensed under division (D) (1) 1892  
of this section is subject to both of the following: 1893

(a) All applicable rules adopted by the liquor control 1894  
commission, including, but not limited to, rule 4301:1-1-27 and 1895  
rule 4301:1-1-72 of the Administrative Code; 1896

(b) All applicable federal laws and regulations. 1897

(E) The privileges authorized for the holder of a D-8 1898  
permit described in division (A) (2) or (3) of this section may 1899  
only be exercised in conjunction with and during the hours of 1900  
operation authorized by a C-1, C-2, C-2x, or D-6 permit. 1901

(F) A D-8 permit shall not be transferred to another 1902

location.	1903
(G) The fee for the D-8 permit is five hundred dollars.	1904
<b>Sec. 4399.15.</b> No person, for the purpose of sale, shall	1905
adulterate spirituous liquor, alcoholic liquor, or beer used or	1906
intended for drink or medicinal or mechanical purposes, with	1907
cocculus indicus, vitriol, <del>grains of paradise,</del> opium, alum,	1908
capsicum, copperas, laurel water, logwood, Brazilwood,	1909
cochineal, sugar of lead, aloes, glucose, tannic acid, or any	1910
other substance that is poisonous or injurious to health, or	1911
with a substance not a necessary ingredient in the manufacture	1912
of the spirituous liquor, alcoholic liquor, or beer, or sell,	1913
offer, or keep for sale spirituous liquor, alcoholic liquor, or	1914
beer that is so adulterated.	1915
In addition to the penalties provided in division (E) of	1916
section 4399.99 of the Revised Code, a person convicted of	1917
violating this section shall pay all necessary costs and	1918
expenses incurred in inspecting and analyzing spirituous liquor,	1919
alcoholic liquor, or beer that is so adulterated, sold, kept, or	1920
offered for sale.	1921
<b>Sec. 4505.104.</b> (A) A towing service or storage facility	1922
that is in possession of a motor vehicle may obtain a	1923
certificate of title to the vehicle as provided in division (B)	1924
of this section if all of the following apply:	1925
(1) The motor vehicle was towed or stored pursuant to	1926
section 4513.60, 4513.61, or 4513.66 of the Revised Code.	1927
(2) A search was made of the records of an applicable	1928
entity listed in division (F)(1) of section 4513.601 of the	1929
Revised Code to ascertain the identity of the owner and any	1930
lienholder of the motor vehicle.	1931

(3) Upon obtaining the identity in division (A) (2) of this section, notice was sent to the last known address of the owner and any lienholder, by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The notice shall inform the owner and lienholder that the towing service or storage facility will obtain title to the motor vehicle if not claimed within sixty days after the date the notice was received.

(4) The motor vehicle has been left unclaimed for sixty days after one of the following:

(a) The date the notice sent under division (A) (3) of this section was received, as evidenced by a receipt signed by any person;

(b) The date the towing service or storage facility received notification that the delivery of the notice sent under division (A) (3) of this section was not possible.

(5) A sheriff, chief of a law enforcement agency, ~~or~~ state highway patrol trooper, natural resources officer, or wildlife officer, as applicable, has made a determination that the vehicle or items in the vehicle are not necessary to a criminal investigation.

(6) An agent of the towing service or storage facility executes an affidavit, in a form established by the registrar of motor vehicles not later than ninety days after September 30, 2021, affirming that conditions in divisions (A) (1) to (5) of this section are met.

(B) The clerk of court shall issue a certificate of title, free and clear of all liens and encumbrances, to the towing

service or storage facility that presents an affidavit that 1961  
affirms that the conditions in divisions (A) (1) to (5) of this 1962  
section are met. 1963

(C) After obtaining title to a motor vehicle under this 1964  
section, the towing service or storage facility shall retain any 1965  
money arising from the disposal of the vehicle. 1966

(D) A towing service or storage facility that obtains 1967  
title to a motor vehicle under this section shall notify the 1968  
entity that ordered the motor vehicle into storage that the 1969  
motor vehicle has been so disposed. The towing service or 1970  
storage facility shall provide the notice on the last business 1971  
day of the month in which the service or facility obtained title 1972  
to the motor vehicle. 1973

(E) As used in this section, ~~"towing~~ : 1974

(1) "Towing service or storage facility" means any for- 1975  
hire motor carrier that removes a motor vehicle under the 1976  
authority of section 4513.60, 4513.61, or 4513.66 of the Revised 1977  
Code and any place to which such a for-hire motor carrier 1978  
delivers a motor vehicle towed under those sections. 1979

(2) "Natural resources officer" means an officer appointed 1980  
pursuant to section 1501.24 of the Revised Code. 1981

(3) "Wildlife officer" means an officer designated 1982  
pursuant to section 1531.13 of the Revised Code. 1983

**Sec. 4505.13.** (A) (1) Chapter 1309. and section 1701.66 of 1984  
the Revised Code do not permit or require the deposit, filing, 1985  
or other record of a security interest covering a motor vehicle, 1986  
except as provided in division (A) (2) of this section. 1987

(2) Chapter 1309. of the Revised Code applies to a 1988

security interest in a motor vehicle held as inventory for sale 1989  
by a dealer. The security interest has priority over creditors 1990  
of the dealer as provided in Chapter 1309. of the Revised Code 1991  
without notation of the security interest on a certificate of 1992  
title, without entry of a notation of the security interest into 1993  
the automated title processing system if a physical certificate 1994  
of title for the motor vehicle has not been issued, or without 1995  
the retention of a manufacturer's or importer's certificate. 1996

(B) Subject to division (A) of this section, any security 1997  
agreement covering a security interest in a motor vehicle, if a 1998  
notation of the agreement has been made by a clerk of a court of 1999  
common pleas on the face of the certificate of title or the 2000  
clerk has entered a notation of the agreement into the automated 2001  
title processing system and a physical certificate of title for 2002  
the motor vehicle has not been issued, is valid as against the 2003  
creditors of the debtor, whether armed with process or not, and 2004  
against subsequent purchasers, secured parties, and other 2005  
lienholders or claimants. All security interests, liens, 2006  
mortgages, and encumbrances entered into the automated title 2007  
processing system in relation to a particular certificate of 2008  
title, regardless of whether a physical certificate of title is 2009  
issued, take priority according to the order of time in which 2010  
they are entered into the automated title processing system by 2011  
the clerk. Exposure for sale of any motor vehicle by its owner, 2012  
with the knowledge or with the knowledge and consent of the 2013  
holder of any security interest, lien, mortgage, or encumbrance 2014  
on it, does not render that security interest, lien, mortgage, 2015  
or encumbrance ineffective as against the creditors of that 2016  
owner, or against holders of subsequent security interests, 2017  
liens, mortgages, or encumbrances upon that motor vehicle. 2018

The secured party, upon presentation of evidence of a 2019

security interest to a clerk of a court of common pleas, 2020  
together with the certificate of title if a physical certificate 2021  
of title for the motor vehicle exists, and the fee prescribed by 2022  
section 4505.09 of the Revised Code, may have a notation of the 2023  
security interest made. Unless the secured party specifically 2024  
requests the clerk not to issue a physical certificate of title 2025  
and instead to issue an electronic certificate of title, the 2026  
clerk shall issue, over the clerk's signature and seal of 2027  
office, a new original certificate of title from the automated 2028  
title processing records that indicates the security interest 2029  
and the date of the security interest. 2030

If a security interest is fully discharged as a result of 2031  
its holder's receipt of good funds in the correct amount and if 2032  
the holder holds a physical certificate of title, the holder 2033  
shall note the discharge of the security interest on the face of 2034  
the certificate of title over the holder's signature, or over 2035  
the holder's signature on a form prescribed by the registrar of 2036  
motor vehicles when there is no space for the discharge on the 2037  
face of the certificate of title. Except as otherwise provided 2038  
in this section, prior to delivering the certificate of title to 2039  
the owner, the holder or the holder's agent shall convey the 2040  
certificate of title or a separate statement of the discharge of 2041  
the security interest to a clerk. The conveyance shall occur not 2042  
more than seven business days after the date good funds in the 2043  
correct amount to fully discharge the security interest have 2044  
been credited to an account of the holder, provided the holder 2045  
has been provided accurate information concerning the motor 2046  
vehicle. Conveyance of the certificate of title or separate 2047  
statement of the discharge within the required seven business 2048  
days may be indicated by postmark or receipt by a clerk within 2049  
that period, or, in the case of a written confirmation that is 2050

sent electronically as provided in division (C) (1) of this 2051  
section, by the date of the electronic mail or other electronic 2052  
communication. If the discharge of the security interest appears 2053  
to be genuine, the clerk shall note the cancellation of the 2054  
security interest on the face of the certificate of title, if it 2055  
was so conveyed, and note it in the automated title processing 2056  
system. 2057

If a security interest is fully discharged as a result of 2058  
its holder's receipt of good funds in the correct amount and the 2059  
holder does not hold a physical certificate of title, when the 2060  
holder notifies a clerk of the discharge of its security 2061  
interest, the holder at that time also may request the clerk to 2062  
issue a physical certificate of title to the vehicle. The 2063  
request shall specify whether the clerk is to send the 2064  
certificate of title directly to the owner or to the holder or 2065  
the holder's agent for transmission to the owner. If such a 2066  
request is made, the clerk shall issue a physical certificate of 2067  
title and send it to the specified person. 2068

The clerk shall not honor such a request for a physical 2069  
certificate of title if it is not made by the holder at the same 2070  
time as the holder's notification to the clerk of the discharge 2071  
of its security interest. 2072

The holder shall send written notice, which may be sent 2073  
electronically, either at the time the security interest is 2074  
placed on the motor vehicle or at the time the security interest 2075  
is discharged, to the owner with reference to the web site 2076  
address of the bureau of motor vehicles that includes the 2077  
owner's titling options once the security interest is 2078  
discharged. This notice may be included in a communication to 2079  
the owner confirming that the security interest has been 2080

discharged. 2081

The registrar of motor vehicles shall include on the 2082  
bureau of motor vehicles web site the titling options, including 2083  
fees, for the owner of a motor vehicle when the security 2084  
interest in that motor vehicle is fully discharged. 2085

(C) (1) In all cases, a secured party may choose to present 2086  
a clerk with evidence of a security interest via written 2087  
confirmation through electronic means, and the clerk shall enter 2088  
the security interest into the automated title processing 2089  
system. A secured party also may choose to notify a clerk of the 2090  
discharge of its security interest via electronic means, and the 2091  
clerk shall enter the cancellation into the automated title 2092  
processing system. 2093

(2) In the case of a security interest that is being 2094  
satisfied by a dealer to whom a certificate of title is being 2095  
transferred, the cancellation of the security interest shall 2096  
occur during the course of the transfer. The dealer shall submit 2097  
a discharge request to the secured party. A discharge request 2098  
shall include good funds in the correct amount to fully 2099  
discharge the security interest and accurate information 2100  
concerning the motor vehicle. 2101

(3) (a) Upon receiving a discharge request that complies 2102  
with division (C) (2) of this section, if the current automated 2103  
title processing system record indicates that a physical title 2104  
exists for that motor vehicle, a secured party shall convey the 2105  
physical certificate of title, with the discharge of the 2106  
security interest noted on its face, to the dealer within seven 2107  
business days after the date good funds in the correct amount to 2108  
fully discharge the security interest have been credited to an 2109  
account of the secured party. 2110



If a secured party is unable to convey to the dealer the physical certificate of title within the required seven business days, the secured party instead shall convey to the dealer an affidavit stating that the security interest has been discharged, together with payment for a duplicate certificate of title, within that period. If the current automated title processing system record for a motor vehicle indicates that an electronic title exists for that motor vehicle, the secured party shall convey to the dealer within the required seven business days written confirmation that the security interest has been satisfied.

(b) Conveyance of a physical certificate of title, or affidavit and required payment, or written confirmation that the security interest has been satisfied from a secured party to a dealer under the circumstances described in division (C) (3) (a) of this section within the required seven business days may be indicated by a postmark within that period or, in the case of a written confirmation that is sent electronically, the date of the electronic mail or other electronic communication.

(4) A secured party is liable to a dealer for a late fee of ten dollars per day for each physical certificate of title, or affidavit and required payment, or written confirmation that the security interest has been satisfied that is conveyed to the dealer more than seven business days but less than twenty-one days after the date specified in division (C) (3) (a) of this section and, from then on, twenty-five dollars per day until the physical certificate of title, or affidavit and required payment, or written confirmation that the security interest has been satisfied is conveyed to the dealer.

(D) Notwithstanding any provision of Chapter 1310. of the

Revised Code or of any other law, the lease of a motor vehicle 2141  
or trailer does not constitute a conditional sale or create a 2142  
security interest merely because the lease agreement permits or 2143  
requires the lessor, at the end of the lease term, to adjust the 2144  
rental price to either a higher or a lower amount by reference 2145  
to the amount the lessor realizes upon the sale or other 2146  
disposition of the motor vehicle or trailer. 2147

(E) If a physical certificate of title has not been issued 2148  
for a motor vehicle and all the security interests relating to 2149  
that motor vehicle have been discharged, the owner of the motor 2150  
vehicle may obtain a physical certificate of title from the 2151  
clerk of any court of common pleas upon payment of the fee 2152  
specified in section 4505.09 of the Revised Code. 2153

(F) If a clerk of a court of common pleas, other than the 2154  
clerk of the court of common pleas of the county in which the 2155  
owner of a motor vehicle resides, enters a notation of the 2156  
existence of, or the cancellation of, a security interest 2157  
relating to the motor vehicle, the clerk shall transmit the data 2158  
relating to the notation to the automated title processing 2159  
system. 2160

(G) The registrar of motor vehicles, in accordance with 2161  
Chapter 119. of the Revised Code, shall adopt rules governing 2162  
the electronic transmission of security interest and other 2163  
information under this section. In adopting the rules, the 2164  
registrar shall confer with the clerks of the courts of common 2165  
pleas. 2166

(H) As used in this section: 2167

(1) "Accurate information" means the make and model of the 2168  
motor vehicle, its vehicle identification number, and the name 2169

and address of its owner as they appear on the certificate of 2170  
title that is to be conveyed. 2171

(2) "Dealer" has the same meaning as in section 4517.01 of 2172  
the Revised Code. 2173

(3) "Good funds" includes cash, or a wire transfer, 2174  
cashier's check, certified check, draft, money order, or 2175  
teller's check issued by an insured financial institution, or a 2176  
dealer's check for which the secured party has received funds 2177  
that are available for withdrawal pursuant to "Availability of 2178  
Funds and Collection of Checks (Regulation CC)," 12 C.F.R. 229. 2179

(4) "Inventory" has the same meaning as in section 2180  
1309.102 of the Revised Code. 2181

(5) "Electronic certificate of title" means an electronic 2182  
record stored in the automated title processing system that 2183  
established ownership of a motor vehicle, as well as any 2184  
security interest that exists in that motor vehicle. 2185

(6) "Written confirmation" means a communication from a 2186  
secured party to a motor vehicle dealer regarding the secured 2187  
party's security interest in a motor vehicle. A written 2188  
confirmation may be either a physical document or an electronic 2189  
communication such as electronic mail. Both types of written 2190  
confirmation may be conveyed under this section. 2191

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 2192  
of the Revised Code: 2193

(A) "Vehicle" means every device, including a motorized 2194  
bicycle and an electric bicycle, in, upon, or by which any 2195  
person or property may be transported or drawn upon a highway, 2196  
except that "vehicle" does not include any motorized wheelchair, 2197  
any electric personal assistive mobility device, any low-speed 2198

micromobility device, any personal delivery device as defined in 2199  
section 4511.513 of the Revised Code, any device that is moved 2200  
by power collected from overhead electric trolley wires or that 2201  
is used exclusively upon stationary rails or tracks, or any 2202  
device, other than a bicycle, that is moved by human power. 2203

(B) "Motor vehicle" means every vehicle propelled or drawn 2204  
by power other than muscular power or power collected from 2205  
overhead electric trolley wires, except motorized bicycles, 2206  
electric bicycles, road rollers, traction engines, power 2207  
shovels, power cranes, and other equipment used in construction 2208  
work and not designed for or employed in general highway 2209  
transportation, hole-digging machinery, well-drilling machinery, 2210  
ditch-digging machinery, farm machinery, and trailers designed 2211  
and used exclusively to transport a boat between a place of 2212  
storage and a marina, or in and around a marina, when drawn or 2213  
towed on a street or highway for a distance of no more than ten 2214  
miles and at a speed of twenty-five miles per hour or less. 2215

(C) "Motorcycle" means every motor vehicle, other than a 2216  
tractor, having a seat or saddle for the use of the operator and 2217  
designed to travel on not more than three wheels in contact with 2218  
the ground, including, but not limited to, motor vehicles known 2219  
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 2220  
enclosed motorcycle," or "motorcycle" without regard to weight 2221  
or brake horsepower. 2222

(D) "Emergency vehicle" means emergency vehicles of 2223  
municipal, township, or county departments or public utility 2224  
corporations when identified as such as required by law, the 2225  
director of public safety, or local authorities, and motor 2226  
vehicles when commandeered by a police officer. 2227

(E) "Public safety vehicle" means any of the following: 2228

(1) Ambulances, including private ambulance companies	2229
under contract to a municipal corporation, township, or county,	2230
and private ambulances and nontransport vehicles bearing license	2231
plates issued under section 4503.49 of the Revised Code;	2232
(2) Motor vehicles used by public law enforcement officers	2233
or other persons sworn to enforce the criminal and traffic laws	2234
of the state;	2235
(3) Any motor vehicle when properly identified as required	2236
by the director of public safety, when used in response to fire	2237
emergency calls or to provide emergency medical service to ill	2238
or injured persons, and when operated by a duly qualified person	2239
who is a member of a volunteer rescue service or a volunteer	2240
fire department, and who is on duty pursuant to the rules or	2241
directives of that service. The state fire marshal shall be	2242
designated by the director of public safety as the certifying	2243
agency for all public safety vehicles described in division (E)	2244
(3) of this section.	2245
(4) Vehicles used by fire departments, including motor	2246
vehicles when used by volunteer fire fighters responding to	2247
emergency calls in the fire department service when identified	2248
as required by the director of public safety.	2249
Any vehicle used to transport or provide emergency medical	2250
service to an ill or injured person, when certified as a public	2251
safety vehicle, shall be considered a public safety vehicle when	2252
transporting an ill or injured person to a hospital regardless	2253
of whether such vehicle has already passed a hospital.	2254
(5) Vehicles used by the motor carrier enforcement unit	2255
for the enforcement of orders and rules of the public utilities	2256
commission as specified in section 5503.34 of the Revised Code.	2257

(F) "School bus" means every bus designed for carrying 2258  
more than nine passengers that is owned by a public, private, or 2259  
governmental agency or institution of learning and operated for 2260  
the transportation of children to or from a school session or a 2261  
school function, or owned by a private person and operated for 2262  
compensation for the transportation of children to or from a 2263  
school session or a school function, provided "school bus" does 2264  
not include a bus operated by a municipally owned transportation 2265  
system, a mass transit company operating exclusively within the 2266  
territorial limits of a municipal corporation, or within such 2267  
limits and the territorial limits of municipal corporations 2268  
immediately contiguous to such municipal corporation, nor a 2269  
common passenger carrier certified by the public utilities 2270  
commission unless such bus is devoted exclusively to the 2271  
transportation of children to and from a school session or a 2272  
school function, and "school bus" does not include a van or bus 2273  
used by a licensed child care center or type A family child care 2274  
home to transport children from the child care center or type A 2275  
family child care home to a school if the van or bus does not 2276  
have more than fifteen children in the van or bus at any time. 2277

(G) "Bicycle" means every device, other than a device that 2278  
is designed solely for use as a play vehicle by a child, that is 2279  
propelled solely by human power upon which a person may ride, 2280  
and that has two or more wheels, any of which is more than 2281  
fourteen inches in diameter. 2282

(H) "Motorized bicycle" or "moped" means any vehicle 2283  
having either two tandem wheels or one wheel in the front and 2284  
two wheels in the rear, that may be pedaled, and that is 2285  
equipped with a helper motor of not more than fifty cubic 2286  
centimeters piston displacement that produces not more than one 2287  
brake horsepower and is capable of propelling the vehicle at a 2288

speed of not greater than twenty miles per hour on a level 2289  
surface. "Motorized bicycle" or "moped" does not include an 2290  
electric bicycle. 2291

(I) "Commercial tractor" means every motor vehicle having 2292  
motive power designed or used for drawing other vehicles and not 2293  
so constructed as to carry any load thereon, or designed or used 2294  
for drawing other vehicles while carrying a portion of such 2295  
other vehicles, or load thereon, or both. 2296

(J) "Agricultural tractor" means every self-propelling 2297  
vehicle designed or used for drawing other vehicles or wheeled 2298  
machinery but having no provision for carrying loads 2299  
independently of such other vehicles, and used principally for 2300  
agricultural purposes. 2301

(K) "Truck" means every motor vehicle, except trailers and 2302  
semitrailers, designed and used to carry property. 2303

(L) "Bus" means every motor vehicle designed for carrying 2304  
more than nine passengers and used for the transportation of 2305  
persons other than in a ridesharing arrangement, and every motor 2306  
vehicle, automobile for hire, or funeral car, other than a 2307  
taxicab or motor vehicle used in a ridesharing arrangement, 2308  
designed and used for the transportation of persons for 2309  
compensation. 2310

(M) "Trailer" means every vehicle designed or used for 2311  
carrying persons or property wholly on its own structure and for 2312  
being drawn by a motor vehicle, including any such vehicle when 2313  
formed by or operated as a combination of a "semitrailer" and a 2314  
vehicle of the dolly type, such as that commonly known as a 2315  
"trailer dolly," a vehicle used to transport agricultural 2316  
produce or agricultural production materials between a local 2317

place of storage or supply and the farm when drawn or towed on a 2318  
street or highway at a speed greater than twenty-five miles per 2319  
hour, and a vehicle designed and used exclusively to transport a 2320  
boat between a place of storage and a marina, or in and around a 2321  
marina, when drawn or towed on a street or highway for a 2322  
distance of more than ten miles or at a speed of more than 2323  
twenty-five miles per hour. 2324

(N) "Semitrailer" means every vehicle designed or used for 2325  
carrying persons or property with another and separate motor 2326  
vehicle so that in operation a part of its own weight or that of 2327  
its load, or both, rests upon and is carried by another vehicle. 2328

(O) "Pole trailer" means every trailer or semitrailer 2329  
attached to the towing vehicle by means of a reach, pole, or by 2330  
being boomed or otherwise secured to the towing vehicle, and 2331  
ordinarily used for transporting long or irregular shaped loads 2332  
such as poles, pipes, or structural members capable, generally, 2333  
of sustaining themselves as beams between the supporting 2334  
connections. 2335

(P) "Railroad" means a carrier of persons or property 2336  
operating upon rails placed principally on a private right-of- 2337  
way. 2338

(Q) "Railroad train" means a steam engine or an electric 2339  
or other motor, with or without cars coupled thereto, operated 2340  
by a railroad. 2341

(R) "Streetcar" means a car, other than a railroad train, 2342  
for transporting persons or property, operated upon rails 2343  
principally within a street or highway. 2344

(S) "Trackless trolley" means every car that collects its 2345  
power from overhead electric trolley wires and that is not 2346



operated upon rails or tracks. 2347

(T) "Explosives" means any chemical compound or mechanical 2348  
mixture that is intended for the purpose of producing an 2349  
explosion that contains any oxidizing and combustible units or 2350  
other ingredients in such proportions, quantities, or packing 2351  
that an ignition by fire, by friction, by concussion, by 2352  
percussion, or by a detonator of any part of the compound or 2353  
mixture may cause such a sudden generation of highly heated 2354  
gases that the resultant gaseous pressures are capable of 2355  
producing destructive effects on contiguous objects, or of 2356  
destroying life or limb. Manufactured articles shall not be held 2357  
to be explosives when the individual units contain explosives in 2358  
such limited quantities, of such nature, or in such packing, 2359  
that it is impossible to procure a simultaneous or a destructive 2360  
explosion of such units, to the injury of life, limb, or 2361  
property by fire, by friction, by concussion, by percussion, or 2362  
by a detonator, such as fixed ammunition for small arms, 2363  
firecrackers, or safety fuse matches. 2364

(U) "Flammable liquid" means any liquid that has a flash 2365  
point of seventy degrees fahrenheit, or less, as determined by a 2366  
tagliabue or equivalent closed cup test device. 2367

(V) "Gross weight" means the weight of a vehicle plus the 2368  
weight of any load thereon. 2369

(W) "Person" means every natural person, firm, co- 2370  
partnership, association, or corporation. 2371

(X) "Pedestrian" means any natural person afoot. 2372  
"Pedestrian" includes a personal delivery device as defined in 2373  
section 4511.513 of the Revised Code unless the context clearly 2374  
suggests otherwise. 2375

(Y) "Driver or operator" means every person who drives or 2376  
is in actual physical control of a vehicle, trackless trolley, 2377  
or streetcar. 2378

(Z) "Police officer" means every officer authorized to 2379  
direct or regulate traffic, or to make arrests for violations of 2380  
traffic regulations. 2381

(AA) "Local authorities" means every county, municipal, 2382  
and other local board or body having authority to adopt police 2383  
regulations under the constitution and laws of this state. 2384

(BB) "Street" or "highway" means the entire width between 2385  
the boundary lines of every way open to the use of the public as 2386  
a thoroughfare for purposes of vehicular travel. 2387

(CC) "Controlled-access highway" means every street or 2388  
highway in respect to which owners or occupants of abutting 2389  
lands and other persons have no legal right of access to or from 2390  
the same except at such points only and in such manner as may be 2391  
determined by the public authority having jurisdiction over such 2392  
street or highway. 2393

(DD) "Private road or driveway" means every way or place 2394  
in private ownership used for vehicular travel by the owner and 2395  
those having express or implied permission from the owner but 2396  
not by other persons. 2397

(EE) "Roadway" means that portion of a highway improved, 2398  
designed, or ordinarily used for vehicular travel, except the 2399  
berm or shoulder. If a highway includes two or more separate 2400  
roadways the term "roadway" means any such roadway separately 2401  
but not all such roadways collectively. 2402

(FF) "Sidewalk" means that portion of a street between the 2403  
curb lines, or the lateral lines of a roadway, and the adjacent 2404

property lines, intended for the use of pedestrians. 2405

(GG) "Laned highway" means a highway the roadway of which 2406  
is divided into two or more clearly marked lanes for vehicular 2407  
traffic. 2408

(HH) "Through highway" means every street or highway as 2409  
provided in section 4511.65 of the Revised Code. 2410

(II) "State highway" means a highway under the 2411  
jurisdiction of the department of transportation, outside the 2412  
limits of municipal corporations, provided that the authority 2413  
conferred upon the director of transportation in section 5511.01 2414  
of the Revised Code to erect state highway route markers and 2415  
signs directing traffic shall not be modified by sections 2416  
4511.01 to 4511.79 and 4511.99 of the Revised Code. 2417

(JJ) "State route" means every highway that is designated 2418  
with an official state route number and so marked. 2419

(KK) "Intersection" means: 2420

(1) The area embraced within the prolongation or 2421  
connection of the lateral curb lines, or, if none, the lateral 2422  
boundary lines of the roadways of two highways that join one 2423  
another at, or approximately at, right angles, or the area 2424  
within which vehicles traveling upon different highways that 2425  
join at any other angle might come into conflict. The junction 2426  
of an alley or driveway with a roadway or highway does not 2427  
constitute an intersection unless the roadway or highway at the 2428  
junction is controlled by a traffic control device. 2429

(2) If a highway includes two roadways that are thirty 2430  
feet or more apart, then every crossing of each roadway of such 2431  
divided highway by an intersecting highway constitutes a 2432  
separate intersection. If both intersecting highways include two 2433

roadways thirty feet or more apart, then every crossing of any 2434  
two roadways of such highways constitutes a separate 2435  
intersection. 2436

(3) At a location controlled by a traffic control signal, 2437  
regardless of the distance between the separate intersections as 2438  
described in division (KK) (2) of this section: 2439

(a) If a stop line, yield line, or crosswalk has not been 2440  
designated on the roadway within the median between the separate 2441  
intersections, the two intersections and the roadway and median 2442  
constitute one intersection. 2443

(b) Where a stop line, yield line, or crosswalk line is 2444  
designated on the roadway on the intersection approach, the area 2445  
within the crosswalk and any area beyond the designated stop 2446  
line or yield line constitute part of the intersection. 2447

(c) Where a crosswalk is designated on a roadway on the 2448  
departure from the intersection, the intersection includes the 2449  
area that extends to the far side of the crosswalk. 2450

(LL) "Crosswalk" means: 2451

(1) That part of a roadway at intersections ordinarily 2452  
included within the real or projected prolongation of property 2453  
lines and curb lines or, in the absence of curbs, the edges of 2454  
the traversable roadway; 2455

(2) Any portion of a roadway at an intersection or 2456  
elsewhere, distinctly indicated for pedestrian crossing by lines 2457  
or other markings on the surface; 2458

(3) Notwithstanding divisions (LL) (1) and (2) of this 2459  
section, there shall not be a crosswalk where local authorities 2460  
have placed signs indicating no crossing. 2461

(MM) "Safety zone" means the area or space officially set 2462  
apart within a roadway for the exclusive use of pedestrians and 2463  
protected or marked or indicated by adequate signs as to be 2464  
plainly visible at all times. 2465

(NN) "Business district" means the territory fronting upon 2466  
a street or highway, including the street or highway, between 2467  
successive intersections within municipal corporations where 2468  
fifty per cent or more of the frontage between such successive 2469  
intersections is occupied by buildings in use for business, or 2470  
within or outside municipal corporations where fifty per cent or 2471  
more of the frontage for a distance of three hundred feet or 2472  
more is occupied by buildings in use for business, and the 2473  
character of such territory is indicated by official traffic 2474  
control devices. 2475

(OO) "Residence district" means the territory, not 2476  
comprising a business district, fronting on a street or highway, 2477  
including the street or highway, where, for a distance of three 2478  
hundred feet or more, the frontage is improved with residences 2479  
or residences and buildings in use for business. 2480

(PP) "Urban district" means the territory contiguous to 2481  
and including any street or highway which is built up with 2482  
structures devoted to business, industry, or dwelling houses 2483  
situated at intervals of less than one hundred feet for a 2484  
distance of a quarter of a mile or more, and the character of 2485  
such territory is indicated by official traffic control devices. 2486

(QQ) "Traffic control device" means a flagger, sign, 2487  
signal, marking, or other device used to regulate, warn, or 2488  
guide traffic, placed on, over, or adjacent to a street, 2489  
highway, private road open to public travel, pedestrian 2490  
facility, or shared-use path by authority of a public agency or 2491

official having jurisdiction, or, in the case of a private road 2492  
open to public travel, by authority of the private owner or 2493  
private official having jurisdiction. 2494

(RR) "Traffic control signal" means any highway traffic 2495  
signal by which traffic is alternately directed to stop and 2496  
permitted to proceed. 2497

(SS) "Railroad sign or signal" means any sign, signal, or 2498  
device erected by authority of a public body or official or by a 2499  
railroad and intended to give notice of the presence of railroad 2500  
tracks or the approach of a railroad train. 2501

(TT) "Traffic" means pedestrians, ridden or herded 2502  
animals, vehicles, streetcars, trackless trolleys, and other 2503  
devices, either singly or together, while using for purposes of 2504  
travel any highway or private road open to public travel. 2505

(UU) "Right-of-way" means either of the following, as the 2506  
context requires: 2507

(1) The right of a vehicle, streetcar, trackless trolley, 2508  
or pedestrian to proceed uninterruptedly in a lawful manner in 2509  
the direction in which it or the individual is moving in 2510  
preference to another vehicle, streetcar, trackless trolley, or 2511  
pedestrian approaching from a different direction into its or 2512  
the individual's path; 2513

(2) A general term denoting land, property, or the 2514  
interest therein, usually in the configuration of a strip, 2515  
acquired for or devoted to transportation purposes. When used in 2516  
this context, right-of-way includes the roadway, shoulders or 2517  
berm, ditch, and slopes extending to the right-of-way limits 2518  
under the control of the state or local authority. 2519

(VV) "Rural mail delivery vehicle" means every vehicle 2520

used to deliver United States mail on a rural mail delivery route.	2521 2522
(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.	2523 2524 2525
(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.	2526 2527 2528 2529 2530 2531 2532
(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.	2533 2534 2535
(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.	2536 2537 2538
(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.	2539 2540 2541
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	2542 2543
(CCC) "Arterial street" means any United States or state numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	2544 2545 2546 2547 2548

(DDD) "Ridesharing arrangement" means the transportation 2549  
of persons in a motor vehicle where such transportation is 2550  
incidental to another purpose of a volunteer driver and includes 2551  
ridesharing arrangements known as carpools, vanpools, and 2552  
buspools. 2553

(EEE) "Motorized wheelchair" means any self-propelled 2554  
vehicle designed for, and used by, a person with a disability 2555  
and that is incapable of a speed in excess of eight miles per 2556  
hour. 2557

(FFF) "Child care center" and "type A family child care 2558  
home" have the same meanings as in section 5104.01 of the 2559  
Revised Code. 2560

(GGG) "Multi-wheel agricultural tractor" means a type of 2561  
agricultural tractor that has two or more wheels or tires on 2562  
each side of one axle at the rear of the tractor, is designed or 2563  
used for drawing other vehicles or wheeled machinery, has no 2564  
provision for carrying loads independently of the drawn vehicles 2565  
or machinery, and is used principally for agricultural purposes. 2566

(HHH) "Operate" means to cause or have caused movement of 2567  
a vehicle, streetcar, or trackless trolley. 2568

(III) "Predicate motor vehicle or traffic offense" means 2569  
any of the following: 2570

(1) A violation of section 4511.03, 4511.051, 4511.12, 2571  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 2572  
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 2573  
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 2574  
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 2575  
4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 2576  
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 2577



4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57,	2578
4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661,	2579
4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712,	2580
4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or	2581
4511.84 of the Revised Code;	2582
(2) A violation of division (A) (2) of section 4511.17,	2583
divisions (A) to (D) of section 4511.51, or division (A) of	2584
section 4511.74 of the Revised Code;	2585
(3) A violation of any provision of sections 4511.01 to	2586
4511.76 of the Revised Code for which no penalty otherwise is	2587
provided in the section that contains the provision violated;	2588
(4) A violation of section 4511.214 of the Revised Code;	2589
(5) A violation of a municipal ordinance that is	2590
substantially similar to any section or provision set forth or	2591
described in division (III) (1), (2), (3), or (4) of this	2592
section.	2593
(JJJ) "Road service vehicle" means wreckers, utility	2594
repair vehicles, and state, county, and municipal service	2595
vehicles equipped with visual signals by means of flashing,	2596
rotating, or oscillating lights.	2597
(KKK) "Beacon" means a highway traffic signal with one or	2598
more signal sections that operate in a flashing mode.	2599
(LLL) "Hybrid beacon" means a type of beacon that is	2600
intentionally placed in a dark mode between periods of operation	2601
where no indications are displayed and, when in operation,	2602
displays both steady and flashing traffic control signal	2603
indications.	2604
(MMM) "Highway traffic signal" means a power-operated	2605

traffic control device by which traffic is warned or directed to 2606  
take some specific action. "Highway traffic signal" does not 2607  
include a power-operated sign, steadily illuminated pavement 2608  
marker, warning light, or steady burning electric lamp. 2609

(NNN) "Median" means the area between two roadways of a 2610  
divided highway, measured from edge of traveled way to edge of 2611  
traveled way, but excluding turn lanes. The width of a median 2612  
may be different between intersections, between interchanges, 2613  
and at opposite approaches of the same intersection. 2614

(OOO) "Private road open to public travel" means a private 2615  
toll road or road, including any adjacent sidewalks that 2616  
generally run parallel to the road, within a shopping center, 2617  
airport, sports arena, or other similar business or recreation 2618  
facility that is privately owned but where the public is allowed 2619  
to travel without access restrictions. "Private road open to 2620  
public travel" includes a gated toll road but does not include a 2621  
road within a private gated property where access is restricted 2622  
at all times, a parking area, a driving aisle within a parking 2623  
area, or a private grade crossing. 2624

(PPP) "Shared-use path" means a bikeway outside the 2625  
traveled way and physically separated from motorized vehicular 2626  
traffic by an open space or barrier and either within the 2627  
highway right-of-way or within an independent alignment. A 2628  
shared-use path also may be used by pedestrians, including 2629  
skaters, joggers, users of manual and motorized wheelchairs, and 2630  
other authorized motorized and non-motorized users. A shared-use 2631  
path does not include any trail that is intended to be used 2632  
primarily for mountain biking, hiking, equestrian use, or other 2633  
similar uses, or any other single track or natural surface trail 2634  
that has historically been reserved for nonmotorized use. 2635

(QQQ) "Highway maintenance vehicle" means a vehicle used 2636  
in snow and ice removal or road surface maintenance, including a 2637  
snow plow, traffic line striper, road sweeper, mowing machine, 2638  
asphalt distributing vehicle, or other such vehicle designed for 2639  
use in specific highway maintenance activities. 2640

(RRR) "Waste collection vehicle" means a vehicle used in 2641  
the collection of garbage, refuse, trash, or recyclable 2642  
materials. 2643

(SSS) "Electric bicycle" means a "class 1 electric 2644  
bicycle," a "class 2 electric bicycle," or a "class 3 electric 2645  
bicycle" as defined in this section. 2646

(TTT) "Class 1 electric bicycle" means a bicycle that is 2647  
equipped with fully operable pedals and an electric motor of 2648  
less than seven hundred fifty watts that provides assistance 2649  
only when the rider is pedaling and ceases to provide assistance 2650  
when the bicycle reaches the speed of twenty miles per hour. 2651

(UUU) "Class 2 electric bicycle" means a bicycle that is 2652  
equipped with fully operable pedals and an electric motor of 2653  
less than seven hundred fifty watts that may provide assistance 2654  
regardless of whether the rider is pedaling and is not capable 2655  
of providing assistance when the bicycle reaches the speed of 2656  
twenty miles per hour. 2657

(VVV) "Class 3 electric bicycle" means a bicycle that is 2658  
equipped with fully operable pedals and an electric motor of 2659  
less than seven hundred fifty watts that provides assistance 2660  
only when the rider is pedaling and ceases to provide assistance 2661  
when the bicycle reaches the speed of twenty-eight miles per 2662  
hour. 2663

(WWW) "Low-speed micromobility device" means a device 2664

weighing less than one hundred pounds that has handlebars, is 2665  
propelled by an electric motor or human power, and has an 2666  
attainable speed on a paved level surface of not more than 2667  
twenty miles per hour when propelled by the electric motor. 2668

(XXX) "Natural resources officer" means an officer 2669  
appointed pursuant to section 1501.24 of the Revised Code. 2670

(YYY) "Wildlife officer" means an officer designated 2671  
pursuant to section 1531.13 of the Revised Code. 2672

**Sec. 4513.61.** (A) The sheriff of a county or chief of a 2673  
law enforcement agency of a municipal corporation, township, 2674  
port authority, conservancy district, university campus police 2675  
department, park district police force, or township or joint 2676  
police district, within the sheriff's or chief's respective 2677  
territorial jurisdiction, or a state highway patrol trooper, 2678  
natural resources officer, or wildlife officer, upon 2679  
notification to the sheriff ~~or~~, chief, or department of natural 2680  
resources, as applicable, of such action and of the location of 2681  
the place of storage, may order into storage any motor vehicle, 2682  
including an abandoned junk motor vehicle as defined in section 2683  
4513.63 of the Revised Code, that: 2684

(1) Has come into the possession of the sheriff, chief, ~~or~~ 2685  
state highway patrol trooper, or officer as a result of the 2686  
performance of the sheriff's, chief's, ~~or~~ trooper's, or 2687  
officer's duties; or 2688

(2) Has been left on a public street or other property 2689  
open to the public for purposes of vehicular travel, or upon or 2690  
within the right-of-way of any road or highway, for forty-eight 2691  
hours or longer without notification to the sheriff ~~or~~, chief, 2692  
or department of the reasons for leaving the motor vehicle in 2693

such place. However, when such a motor vehicle constitutes an 2694  
obstruction to traffic it may be ordered into storage 2695  
immediately unless either of the following applies: 2696

(a) The vehicle was involved in an accident and is subject 2697  
to section 4513.66 of the Revised Code; 2698

(b) The vehicle is a commercial motor vehicle. If the 2699  
vehicle is a commercial motor vehicle, the sheriff, chief, ~~or~~ 2700  
~~state highway patrol trooper, or officer~~ shall allow the owner 2701  
or operator of the vehicle the opportunity to arrange for the 2702  
removal of the motor vehicle within a period of time specified 2703  
by the sheriff, chief, ~~or state highway patrol trooper, or~~ 2704  
~~officer~~. If the sheriff, chief, ~~or state highway patrol trooper,~~ 2705  
~~or officer~~ determines that the vehicle cannot be removed within 2706  
the specified period of time, the sheriff, chief, ~~or state~~ 2707  
~~highway patrol trooper, or officer~~ shall order the removal of 2708  
the vehicle. 2709

Subject to division (C) of this section, the sheriff ~~or,~~ 2710  
chief, or department shall designate the place of storage of any 2711  
motor vehicle so ordered removed. 2712

(B) If the sheriff, chief, ~~or a state highway patrol~~ 2713  
~~trooper, or officer~~ issues an order under division (A) of this 2714  
section and arranges for the removal of a motor vehicle by a 2715  
towing service, the towing service shall deliver the motor 2716  
vehicle to the location designated by the sheriff ~~or,~~ chief, or 2717  
department not more than two hours after the time it is removed. 2718

(C) (1) The sheriff ~~or,~~ chief, or department shall cause a 2719  
search to be made of the records of an applicable entity listed 2720  
in division (F) (1) of section 4513.601 of the Revised Code to 2721  
ascertain the identity of the owner and any lienholder of a 2722

motor vehicle ordered into storage by the sheriff ~~or~~, chief, ~~or~~ 2723  
~~by a state highway patrol trooper, or officer~~ within five 2724  
business days of the removal of the vehicle. Upon obtaining such 2725  
identity, the sheriff ~~or~~, chief, or department shall send or 2726  
cause to be sent to the owner ~~or~~ and any lienholder at the 2727  
owner's ~~or~~ and any lienholder's last known address by certified 2728  
or express mail with return receipt requested, by certified mail 2729  
with electronic tracking, or by a commercial carrier service 2730  
utilizing any form of delivery requiring a signed receipt. The 2731  
notice shall inform the owner ~~or~~ and any lienholder that the 2732  
motor vehicle will be declared a nuisance and disposed of if not 2733  
claimed within ten days of the date of the sending of the 2734  
notice. 2735

(2) The owner or lienholder of the motor vehicle is 2736  
responsible for payment of any expenses or charges incurred in 2737  
its removal and storage and may reclaim the motor vehicle upon 2738  
payment of any those expenses or charges ~~incurred in its removal~~ 2739  
~~and storage~~, and presentation of proof of ownership, which may 2740  
be evidenced by a certificate of title or memorandum certificate 2741  
of title to the motor vehicle, a certificate of registration for 2742  
the motor vehicle, or a lease agreement. Upon presentation of 2743  
proof of ownership evidenced as provided above, the owner of the 2744  
motor vehicle also may retrieve any personal items from the 2745  
vehicle without retrieving the vehicle and without paying any 2746  
fee. However, a towing service or storage facility may charge an 2747  
after-hours retrieval fee established by the public utilities 2748  
commission in rules adopted under section 4921.25 of the Revised 2749  
Code if the owner retrieves the personal items after hours, 2750  
unless the towing service or storage facility fails to provide 2751  
the notice required under division (B) (3) of section 4513.69 of 2752  
the Revised Code, if applicable. However, the owner shall not do 2753

either of the following: 2754

(a) Retrieve any personal item that has been determined by 2755  
the sheriff, chief, ~~or a state highway patrol trooper, or~~ 2756  
officer, as applicable, to be necessary to a criminal 2757  
investigation; 2758

(b) Retrieve any personal item from a vehicle if it would 2759  
endanger the safety of the owner, unless the owner agrees to 2760  
sign a waiver of liability. 2761

For purposes of division (C) (2) of this section, "personal 2762  
items" do not include any items that are attached to the 2763  
vehicle. 2764

(3) If the owner or lienholder of the motor vehicle 2765  
reclaims it after a search of the applicable records has been 2766  
conducted and after notice has been sent to the owner ~~or~~ and any 2767  
lienholder as described in this section, and the search was 2768  
conducted by the place of storage, and the notice was sent to 2769  
the motor vehicle owner by the place of storage, the owner or 2770  
lienholder shall pay to the place of storage a processing fee of 2771  
twenty-five dollars, in addition to any expenses or charges 2772  
incurred in the removal and storage of the vehicle. 2773

(D) If the owner or lienholder makes no claim to the motor 2774  
vehicle within ten days of the date of sending the notice, and 2775  
if the vehicle is to be disposed of at public auction as 2776  
provided in section 4513.62 of the Revised Code, the sheriff ~~or~~ 2777  
, chief, or department, without charge to any party, shall file 2778  
with the clerk of courts of the county in which the place of 2779  
storage is located an affidavit showing compliance with the 2780  
requirements of this section. Upon presentation of the 2781  
affidavit, the clerk, without charge, shall issue a salvage 2782

certificate of title, free and clear of all liens and 2783  
encumbrances, to the sheriff ~~or~~, chief, or department. If the 2784  
vehicle is to be disposed of to a motor vehicle salvage dealer 2785  
or other facility as provided in section 4513.62 of the Revised 2786  
Code, the sheriff ~~or~~, chief, or department shall execute in 2787  
triplicate an affidavit, as prescribed by the registrar of motor 2788  
vehicles, describing the motor vehicle and the manner in which 2789  
it was disposed of, and that all requirements of this section 2790  
have been complied with. The sheriff ~~or~~, chief, or department 2791  
shall retain the original of the affidavit for the sheriff's ~~or~~ 2792  
, chief's, or department's records, and shall furnish two copies 2793  
to the motor vehicle salvage dealer or other facility. Upon 2794  
presentation of a copy of the affidavit by the motor vehicle 2795  
salvage dealer, the clerk of courts, within thirty days of the 2796  
presentation, shall issue a salvage certificate of title, free 2797  
and clear of all liens and encumbrances. 2798

(E) Whenever a motor vehicle salvage dealer or other 2799  
facility receives an affidavit for the disposal of a motor 2800  
vehicle as provided in this section, the dealer or facility 2801  
shall not be required to obtain an Ohio certificate of title to 2802  
the motor vehicle in the dealer's or facility's own name if the 2803  
vehicle is dismantled or destroyed and both copies of the 2804  
affidavit are delivered to the clerk of courts. 2805

(F) No towing service or storage facility shall fail to 2806  
comply with this section. 2807

**Sec. 4513.62.** An unclaimed motor vehicle ordered into 2808  
storage pursuant to division (A) (1) of section 4513.60 or 2809  
section 4513.61 of the Revised Code is subject to one of the 2810  
following: 2811

(A) The sheriff of the county or the chief of a law 2812



enforcement agency of the municipal corporation, township, port 2813  
authority, conservancy district, university campus police 2814  
department, park district police force, or township or joint 2815  
police district, or the department of natural resources may 2816  
dispose of it with a motor vehicle salvage dealer or scrap metal 2817  
processing facility as defined in section 4737.05 of the Revised 2818  
Code, or with any other facility owned by or under contract with 2819  
the county, municipal corporation, port authority, conservancy 2820  
district, university campus, park district, or ~~or~~ township, or 2821  
department for the disposal of such motor vehicles. 2822

(B) The sheriff, chief, department, or a licensed 2823  
auctioneer may sell the motor vehicle at public auction, after 2824  
giving notice thereof by advertisement, published once a week 2825  
for two successive weeks in a newspaper of general circulation 2826  
in the county or as provided in section 7.16 of the Revised 2827  
Code. 2828

(C) A towing service or storage facility may obtain title 2829  
to the motor vehicle in accordance with section 4505.104 of the 2830  
Revised Code. 2831

~~Any moneys~~ (D) (1) Except as provided in division (D) (2) of 2832  
this section, money accrued pursuant to division (A) or (B) of 2833  
this section that are in excess of the expenses resulting from 2834  
the removal and storage of the vehicle shall be credited to the 2835  
general fund of the county, municipal corporation, port 2836  
authority, township, conservancy district, university campus, 2837  
park district, or joint police district, as the case may be. 2838

(2) Any money accrued by the department of natural 2839  
resources pursuant to division (A) or (B) of this section that 2840  
is in excess of the expenses resulting from the removal and 2841  
storage of the vehicle shall be credited as follows: 2842

(a) To the wildlife fund created under section 1531.17 of 2843  
the Revised Code if the unclaimed motor vehicle was removed from 2844  
property under the control or jurisdiction of the division of 2845  
wildlife; 2846

(b) To the state park fund created under section 1546.21 2847  
of the Revised Code if the unclaimed motor vehicle was removed 2848  
from property under the control or jurisdiction of the 2849  
department of natural resources other than property under the 2850  
control or jurisdiction of the division of wildlife. 2851

**Sec. 4513.63.** "Abandoned ~~As~~ used in this section, 2852  
"abandoned junk motor vehicle" means any motor vehicle meeting 2853  
all of the following requirements: 2854

~~(A)~~ (1) Left on private property for forty-eight hours or 2855  
longer without the permission of the person having the right to 2856  
the possession of the property, on a public street or other 2857  
property open to the public for purposes of vehicular travel or 2858  
parking, or upon or within the right-of-way of any road or 2859  
highway, for forty-eight hours or longer; 2860

~~(B)~~ (2) Three years old, or older; 2861

~~(C)~~ (3) Extensively damaged, such damage including but not 2862  
limited to any of the following: missing wheels, tires, motor, 2863  
or transmission; 2864

~~(D)~~ (4) Apparently inoperable; 2865

~~(E)~~ (5) Having a fair market value of one thousand five 2866  
hundred dollars or less. 2867

(B) The sheriff of a county or chief of a law enforcement 2868  
agency of a municipal corporation, township, port authority, 2869  
conservancy district, university campus police department, park 2870

district police force, or township or joint police district, 2871  
within the sheriff's or chief's respective territorial 2872  
jurisdiction, or a state highway patrol trooper, natural 2873  
resources officer, or wildlife officer, upon notification to the 2874  
sheriff ~~or,~~ chief, or department of natural resources of such 2875  
action, shall order any abandoned junk motor vehicle to be 2876  
photographed by a law enforcement officer. The officer shall 2877  
record the make of motor vehicle, the serial number when 2878  
available, and shall also detail the damage or missing equipment 2879  
to substantiate the value of one thousand five hundred dollars 2880  
or less. The sheriff ~~or,~~ chief, or department shall thereupon 2881  
immediately dispose of the abandoned junk motor vehicle to a 2882  
motor vehicle salvage dealer as defined in section 4738.01 of 2883  
the Revised Code or a scrap metal processing facility as defined 2884  
in section 4737.05 of the Revised Code which is under contract 2885  
to the county, township, port authority, conservancy district, 2886  
university campus, park district, ~~or~~ municipal corporation, or 2887  
department, or to any other facility owned by or under contract 2888  
with the county, township, port authority, conservancy district, 2889  
university campus, park district, ~~or~~ municipal corporation, or 2890  
department for the destruction of such motor vehicles. The 2891  
records and photograph relating to the abandoned junk motor 2892  
vehicle shall be retained by the law enforcement agency or 2893  
department ordering the disposition of such vehicle for a period 2894  
of at least two years. The law enforcement agency or department 2895  
shall execute in quadruplicate an affidavit, as prescribed by 2896  
the registrar of motor vehicles, describing the motor vehicle 2897  
and the manner in which it was disposed of, and that all 2898  
requirements of this section have been complied with, and, 2899  
within thirty days of disposing of the vehicle, shall sign and 2900  
file the affidavit with the clerk of courts of the county in 2901  
which the motor vehicle was abandoned. The clerk of courts shall 2902

retain the original of the affidavit for the clerk's files, 2903  
shall furnish one copy thereof to the registrar, one copy to the 2904  
motor vehicle salvage dealer or other facility handling the 2905  
disposal of the vehicle, and one copy to the law enforcement 2906  
agency or department ordering the disposal, who shall file such 2907  
copy with the records and photograph relating to the disposal. 2908

~~Any moneys—~~ 2909

(C) (1) Except as provided in division (C) (2) of this 2910  
section, any money arising from the disposal of an abandoned 2911  
junk motor vehicle shall be deposited in the general fund of the 2912  
county, township, port authority, conservancy district, 2913  
university campus, park district, or the municipal corporation, 2914  
as the case may be. 2915

(2) Any money arising from the disposal of an abandoned 2916  
junk motor vehicle by the department of natural resources shall 2917  
be deposited as follows: 2918

(a) To the wildlife fund created under section 1531.17 of 2919  
the Revised Code if the abandoned junk motor vehicle was removed 2920  
from property under the control or jurisdiction of the division 2921  
of wildlife; 2922

(b) To the state park fund created under section 1546.21 2923  
of the Revised Code if the abandoned junk motor vehicle was 2924  
removed from property under the control or jurisdiction of the 2925  
department of natural resources other than property under the 2926  
control or jurisdiction of the division of wildlife. 2927

(D) Notwithstanding section 4513.61 of the Revised Code, 2928  
any motor vehicle meeting the requirements of divisions ~~(C),~~ 2929  
~~(D),~~ and ~~(E)~~ (A) (3), (4), and (5) of this section which has 2930  
remained unclaimed by the owner or lienholder for a period of 2931

ten days or longer following notification as provided in section 2932  
4513.61 of the Revised Code may be disposed of as provided in 2933  
this section. 2934

**Sec. 4513.64.** (A) No person shall willfully leave an 2935  
abandoned junk motor vehicle as defined in section 4513.63 of 2936  
the Revised Code on private property for more than seventy-two 2937  
hours without the permission of the person having the right to 2938  
the possession of the property, or on a public street or other 2939  
property open to the public for purposes of vehicular travel or 2940  
parking, or upon or within the right-of-way of any road or 2941  
highway, for forty-eight hours or longer without notification to 2942  
the sheriff of the county or chief of a law enforcement agency 2943  
of the municipal corporation, township, port authority, 2944  
conservancy district, university campus police department, park 2945  
district police force, or township or joint police district, or 2946  
to the department of natural resources of the reasons for 2947  
leaving the motor vehicle in such place. 2948

For purposes of this section, the fact that a motor 2949  
vehicle has been so left without permission or notification is 2950  
prima-facie evidence of abandonment. 2951

Nothing contained in sections 4513.60, 4513.61, and 2952  
4513.63 of the Revised Code shall invalidate the provisions of 2953  
municipal ordinances or township resolutions regulating or 2954  
prohibiting the abandonment of motor vehicles on streets, 2955  
highways, public property, or private property within municipal 2956  
corporations or townships. 2957

(B) Whoever violates this section is guilty of a minor 2958  
misdemeanor and shall also be assessed any costs incurred by the 2959  
county, township, joint police district, port authority, 2960  
conservancy district, university campus, park district, ~~or~~ 2961

municipal corporation, or department in disposing of the 2962  
abandoned junk motor vehicle that is the basis of the violation, 2963  
less any money accruing to the county, township, joint police 2964  
district, port authority, conservancy district, university 2965  
campus, park district, or municipal corporation, or department 2966  
from this disposal of the vehicle. 2967

**Sec. 4513.65.** (A) For purposes of this section, "junk 2968  
motor vehicle" means any motor vehicle meeting the requirements 2969  
of divisions ~~(B), (C), (D), and (E)~~ (A) (2), (3), (4), and (5) of 2970  
section 4513.63 of the Revised Code that is left uncovered in 2971  
the open on private property for more than seventy-two hours 2972  
with the permission of the person having the right to the 2973  
possession of the property, except if the person is operating a 2974  
junk yard or scrap metal processing facility licensed under 2975  
authority of sections 4737.05 to 4737.12 of the Revised Code, or 2976  
regulated under authority of a political subdivision; or if the 2977  
property on which the motor vehicle is left is not subject to 2978  
licensure or regulation by any governmental authority, unless 2979  
the person having the right to the possession of the property 2980  
can establish that the motor vehicle is part of a bona fide 2981  
commercial operation; or if the motor vehicle is a collector's 2982  
vehicle. 2983

No political subdivision shall prevent a person from 2984  
storing or keeping, or restrict a person in the method of 2985  
storing or keeping, any collector's vehicle on private property 2986  
with the permission of the person having the right to the 2987  
possession of the property; except that a political subdivision 2988  
may require a person having such permission to conceal, by means 2989  
of buildings, fences, vegetation, terrain, or other suitable 2990  
obstruction, any unlicensed collector's vehicle stored in the 2991  
open. 2992

The sheriff of a county, or chief of a law enforcement agency of a municipal corporation or port authority, or conservancy district within the sheriff's or chief's respective territorial jurisdiction, a state highway patrol trooper, a natural resources officer, a wildlife officer, a board of township trustees, the legislative authority of a municipal corporation or port authority, or the zoning authority of a township or a municipal corporation, may send notice, by certified mail with return receipt requested, to the person having the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent period of thirty days that a junk motor vehicle continues to be so left constitutes a separate offense.

(B) Whoever violates this section is guilty of a minor misdemeanor.

**Sec. 4513.66.** (A) If a motor vehicle accident occurs on any highway, public street, or other property open to the public for purposes of vehicular travel and if any motor vehicle, cargo, or personal property that has been damaged or spilled as a result of the motor vehicle accident is blocking the highway, street, or other property or is otherwise endangering public safety, a public safety official may do either of the following

without the consent of the owner but with the approval of the 3023  
law enforcement agency conducting any investigation of the 3024  
accident: 3025

(1) Remove, or order the removal of, the motor vehicle if 3026  
the motor vehicle is unoccupied, cargo, or personal property 3027  
from the portion of the highway, public street, or property 3028  
ordinarily used for vehicular travel on the highway, public 3029  
street, or other property open to the public for purposes of 3030  
vehicular travel. 3031

(2) If the motor vehicle is a commercial motor vehicle, 3032  
allow the owner or operator of the vehicle the opportunity to 3033  
arrange for the removal of the motor vehicle within a period of 3034  
time specified by the public safety official. If the public 3035  
safety official determines that the motor vehicle cannot be 3036  
removed within the specified period of time, the public safety 3037  
official shall remove or order the removal of the motor vehicle. 3038

(B) (1) Except as provided in division (B) (2) of this 3039  
section, the department of transportation, any employee of the 3040  
department of transportation, or a public safety official who 3041  
authorizes or participates in the removal of any unoccupied 3042  
motor vehicle, cargo, or personal property as authorized by 3043  
division (A) of this section, regardless of whether the removal 3044  
is executed by a private towing service, is not liable for civil 3045  
damages for any injury, death, or loss to person or property 3046  
that results from the removal of that unoccupied motor vehicle, 3047  
cargo, or personal property. Further, except as provided in 3048  
division (B) (2) of this section, if a public safety official 3049  
authorizes, employs, or arranges to have a private towing 3050  
service remove any unoccupied motor vehicle, cargo, or personal 3051  
property as authorized by division (A) of this section, that 3052



private towing service is not liable for civil damages for any 3053  
injury, death, or loss to person or property that results from 3054  
the removal of that unoccupied motor vehicle, cargo, or personal 3055  
property. 3056

(2) Division (B)(1) of this section does not apply to any 3057  
of the following: 3058

(a) Any person or entity involved in the removal of an 3059  
unoccupied motor vehicle, cargo, or personal property pursuant 3060  
to division (A) of this section if that removal causes or 3061  
contributes to the release of a hazardous material or to 3062  
structural damage to the roadway; 3063

(b) A private towing service that was not authorized, 3064  
employed, or arranged by a public safety official to remove an 3065  
unoccupied motor vehicle, cargo, or personal property under this 3066  
section; 3067

(c) Except as provided in division (B)(2)(d) of this 3068  
section, a private towing service that was authorized, employed, 3069  
or arranged by a public safety official to perform the removal 3070  
of the unoccupied motor vehicle, cargo, or personal property but 3071  
the private towing service performed the removal in a negligent 3072  
manner; 3073

(d) A private towing service that was authorized, 3074  
employed, or arranged by a public safety official to perform the 3075  
removal of the unoccupied motor vehicle, cargo, or personal 3076  
property that was endangering public safety but the private 3077  
towing service performed the removal in a reckless manner. 3078

(C) As used in this section: 3079

(1) "Public safety official" means any of the following: 3080

(a) The sheriff of the county, or the chief of a law enforcement agency in the municipal corporation, township, port authority, conservancy district, university campus police department, park district police force, or township or joint police district, in which the accident occurred;

(b) A state highway patrol trooper;

(c) The chief of the fire department having jurisdiction where the accident occurred;

(d) A duly authorized subordinate acting on behalf of an official specified in divisions (C) (1) (a) to (c) of this section;

(e) A natural resources officer or a wildlife officer.

(2) "Hazardous material" has the same meaning as in section 2305.232 of the Revised Code.

**Sec. 4513.69.** (A) A storage facility shall ensure that the facility remains open during both of the following periods of time to allow a vehicle owner or lienholder to retrieve a vehicle in the possession of the storage facility:

(1) Any time during which a towing service is towing a vehicle pursuant to section 4513.601 of the Revised Code and the vehicle will be held by the storage facility;

(2) Between nine o'clock in the morning and noon on the day after any day during which the storage facility accepted for storage a vehicle towed under section 4513.60, 4513.601, or 4513.61 of the Revised Code.

(B) (1) A storage facility that accepts for storage vehicles towed under section 4513.60, 4513.601, or 4513.61 of the Revised Code shall ensure that a notice is conspicuously

posted at the entrance to the storage facility that states the 3109  
telephone number at which the owner or lienholder of a vehicle 3110  
may contact the owner or a representative of the storage 3111  
facility for the purpose of determining whether the person may 3112  
retrieve a vehicle or personal items when the storage facility 3113  
is closed. The storage facility also shall provide that 3114  
telephone number to the sheriff of a county or chief of a law 3115  
enforcement agency of a municipal corporation, township, port 3116  
authority, conservancy district, or township or joint police 3117  
district, or the department of natural resources, as applicable. 3118  
The storage facility shall ensure that a process is in place for 3119  
purposes of answering calls at all times day or night. 3120

(2) After receiving a call from the owner or lienholder of 3121  
a vehicle who seeks to recover a vehicle that was towed pursuant 3122  
to section 4513.601 of the Revised Code, the storage facility 3123  
shall ensure that, within three hours of receiving the phone 3124  
call, a representative of the storage facility is available to 3125  
release the vehicle upon being presented with proof of ownership 3126  
of the vehicle, which may be evidenced by a certificate of title 3127  
to the vehicle, a certificate of registration for the motor 3128  
vehicle, or a lease agreement, and payment of an after-hours 3129  
vehicle retrieval fee established under section 4921.25 of the 3130  
Revised Code along with all other applicable fees. 3131

(3) If a storage facility receives a call from a person 3132  
who seeks to recover personal items from a vehicle that was 3133  
towed pursuant to section 4513.60 or 4513.61 of the Revised Code 3134  
and the storage facility is not open to the public, the storage 3135  
facility shall notify the person that an after-hours retrieval 3136  
fee applies and shall state the amount of the fee as established 3137  
by the public utilities commission in rules adopted under 3138  
section 4921.25 of the Revised Code. The storage facility shall 3139

allow the person to retrieve personal items in accordance with 3140  
division (D) (2) of section 4513.60 or division (C) (2) of section 3141  
4513.61 of the Revised Code, but shall not charge an after-hours 3142  
retrieval fee unless notice is provided in accordance with this 3143  
division. 3144

(C) No storage facility shall fail to comply with division 3145  
(A) or (B) of this section. 3146

**Sec. 4517.261.** (A) For the purposes of this section, 3147  
"consumer price index" means the index, as prepared by the 3148  
United States bureau of labor statistics (U.S. city average for 3149  
urban wage earners and clerical workers: all items) or, if that 3150  
index is no longer published, a generally available comparable 3151  
index as determined by the registrar of motor vehicles. 3152

(B) A motor vehicle dealer may contract for and receive a 3153  
documentary service charge for a retail or wholesale sale or 3154  
lease of a motor vehicle. A documentary service charge shall be 3155  
specified in writing without itemization of the individual 3156  
services provided. A documentary service charge shall be not 3157  
more than the lesser of the following: 3158

~~(A)~~ (1) The amount allowed in a retail installment sale, 3159  
adjusted as required by division (C) of this section; 3160

~~(B)~~ (2) Ten per cent of the amount the buyer or lessee is 3161  
required to pay pursuant to the contract, excluding tax, title, 3162  
and registration fees, and any negative equity adjustment. 3163

(C) (1) On the effective date of this amendment, and on the 3164  
last day of each September that begins thereafter, the registrar 3165  
of motor vehicles shall adjust the documentary service charge 3166  
allowed under division (B) (1) of this section in connection with 3167  
the sale or lease of a motor vehicle by adding two hundred fifty 3168

dollars to the product of two hundred fifty dollars times the 3169  
cumulative percentage change in the consumer price index since 3170  
July 1, 2006, based on the most recently published data, and 3171  
rounding to the nearest one-dollar increment. 3172

(2) Subject to division (C) (3) of this section, the 3173  
adjusted documentary service charge computed under division (C) 3174  
(1) of this section applies as follows: 3175

(a) For the first adjustment required by division (C) (1) 3176  
of this section, from the effective date of this amendment until 3177  
the last day of December following the second adjustment 3178  
required by that division; 3179

(b) For the second and all subsequent adjustments required 3180  
by division (C) (1) of this section, for the full calendar year 3181  
following the date of the adjustment. 3182

(3) If the adjustment required by division (C) (1) of this 3183  
section results in an amount less than the documentary service 3184  
charge allowed at the time the adjustment is made, then the 3185  
maximum documentary service charge per sale at the time the 3186  
adjustment is made applies for the following calendar year. 3187

(4) The registrar shall publish the adjusted documentary 3188  
service charge amount and the dates to which it applies on a web 3189  
site maintained by the department of public safety. 3190

(5) The adjusted documentary service charge determined 3191  
under division (C) of this section applies only with respect to 3192  
the sale or lease of a motor vehicle by a motor vehicle dealer, 3193  
and only if the adjusted documentary service charge does not 3194  
exceed the amount described in division (B) (2) of this section. 3195

**Sec. 5301.234.** (A) A mortgage encumbering real property 3196  
granted to secure the repayment of funds used to satisfy a 3197

mortgage or lien on such real property shall be subrogated to 3198  
the priority of the mortgage or lien that was satisfied to the 3199  
extent of the amount satisfied if both of the following apply: 3200

(1) The intent of the parties to the new mortgage is that 3201  
the new mortgage would have the priority of the mortgage or lien 3202  
satisfied. 3203

(2) The expectation of the holder of a subordinate 3204  
mortgage or lien at the time that it received its interest was 3205  
that it would be junior to the mortgage or lien that was 3206  
satisfied. 3207

(B) A mortgagee seeking to be subrogated pursuant to 3208  
division (A) of this section to the priority of a lien that the 3209  
mortgagee has satisfied shall not be denied subrogation for any 3210  
of the following reasons: 3211

(1) The mortgagee meets any of the following criteria: 3212

(a) The mortgagee is engaged in the business of lending. 3213

(b) The mortgagee had actual knowledge or constructive 3214  
notice of the mortgage or lien over which the mortgagee would 3215  
gain priority through subrogation. 3216

(c) The mortgagee or a third party committed a mistake or 3217  
was negligent. 3218

(2) The lien for which the mortgagee seeks to be 3219  
subrogated was released. 3220

(3) The mortgagee obtained a title insurance policy. 3221

(C) Notwithstanding division (A) of this section, the 3222  
holder of a subordinate mortgage or lien shall retain the same 3223  
subordinate position that such person would have had if the 3224

prior mortgage or lien had not been satisfied. 3225

**Sec. 5323.02.** (A) An owner of residential rental property 3226  
shall file with the county auditor of the county in which the 3227  
property is located the following information: 3228

(1) The name, address, and telephone number of the owner; 3229

(2) If the residential rental property is owned by a 3230  
trust, business trust, estate, partnership, limited partnership, 3231  
limited liability company, association, corporation, or any 3232  
other business entity, the name, address, and telephone number 3233  
of the following: 3234

(a) A trustee, in the case of a trust or business trust; 3235

(b) The executor or administrator, in the case of an 3236  
estate; 3237

(c) A general partner, in the case of a partnership or a 3238  
limited partnership; 3239

(d) A member, manager, or officer, in the case of a 3240  
limited liability company; 3241

(e) An associate, in the case of an association; 3242

(f) An officer, in the case of a corporation; 3243

(g) A member, manager, or officer, in the case of any 3244  
other business entity. 3245

(3) The street address and permanent parcel number of the 3246  
residential rental property. 3247

(B) The information required under division (A) of this 3248  
section shall be filed and maintained on the tax list or the 3249  
real property record. 3250

(C) An owner of residential rental property shall update 3251  
the information required under division (A) of this section 3252  
within sixty days after any change in the information occurs. 3253

(D) The county auditor shall provide an owner of 3254  
residential rental property located in a county that has a 3255  
population of more than two hundred thousand according to the 3256  
most recent decennial census with notice pursuant to division 3257  
(B) of section 323.131 of the Revised Code of the requirement to 3258  
file the information required under division (A) of this section 3259  
and the requirement to update that information under division 3260  
(C) of this section. 3261

(E) The owner of residential real property shall comply 3262  
with the requirements under divisions (A) and (C) of this 3263  
section within sixty days after receiving the notice provided 3264  
under division (D) of this section, division (D) of section 3265  
319.202, or division (B) of section 323.131 of the Revised Code. 3266

(F) Any agent designated by the owner to manage the 3267  
property on the owner's behalf may file or update any 3268  
information, or do anything otherwise required by this section, 3269  
on the owner's behalf. 3270

**Section 2.** That existing sections 317.13, 317.32, 317.36, 3271  
1113.13, 1317.07, 1337.04, 1901.261, 1907.261, 2303.081, 3272  
2303.201, 2329.02, 3735.671, 4301.17, 4301.171, 4303.041, 3273  
4303.184, 4399.15, 4505.104, 4505.13, 4511.01, 4513.61, 4513.62, 3274  
4513.63, 4513.64, 4513.65, 4513.66, 4513.69, 4517.261, and 3275  
5323.02 of the Revised Code are hereby repealed. 3276

**Section 3.** That sections 135.032, 135.321, and 4505.131 of 3277  
the Revised Code are hereby repealed. 3278

**Section 4.** That Sections 381.10, 381.220, 381.525, 3279



381.565, and 413.10 of H.B. 33 of the 135th General Assembly be 3280  
 amended to read as follows: 3281

**Sec. 381.10.** 3282

3283

	1	2	3	4	5
A					
					BOR DEPARTMENT OF HIGHER EDUCATION
B					General Revenue Fund
C	GRF	235321	Operating Expenses	\$8,444,000	\$8,444,000
D	GRF	235402	Sea Grants	\$308,000	\$317,000
E	GRF	235406	Articulation and Transfer	\$2,070,000	\$2,225,000
F	GRF	235408	Midwest Higher Education Compact	\$118,000	\$118,000
G	GRF	235413	Computer Science	\$4,000,000	\$4,000,000
H	GRF	235414	Grants and Scholarship Administration	\$988,000	\$994,000
I	GRF	235417	Technology Maintenance and Operations	\$4,500,000	\$4,500,000
J	GRF	235419	Mental Health Support	\$10,000,000	\$10,000,000
K	GRF	235425	Ohio Work Ready Grant	\$10,000,000	\$10,000,000
L	GRF	235428	Appalachian New Economy	\$4,243,000	\$4,455,000

		Workforce Partnership			
M	GRF	235438	Choose Ohio First Scholarship	\$30,000,000	\$32,000,000
N	GRF	235443	Aspire - State	\$7,083,000	\$7,083,000
O	GRF	235444	Ohio Technical Centers	\$22,464,000	\$23,138,000
P	GRF	235474	Area Health Education Centers Program Support	\$899,000	\$900,000
Q	<u>GRF</u>	<u>235475</u>	<u>Campus Security Support Program</u>	<u>\$0</u>	<u>\$2,000,000</u>
R	<u>GRF</u>	<u>235476</u>	<u>Campus Student Safety Grant Program</u>	<u>\$0</u>	<u>\$1,000,000</u>
S	GRF	235492	Campus Safety and Training	\$675,000	\$700,000
T	GRF	235501	State Share of Instruction	\$2,098,704,372	\$2,121,751,939
U	GRF	235504	War Orphans and Severely Disabled Veterans' Children Scholarships	\$17,800,000	\$20,600,000
V	GRF	235507	OhioLINK	\$6,140,000	\$6,447,000
W	GRF	235508	Air Force Institute of Technology	\$2,000,000	\$2,000,000
X	GRF	235510	Ohio Supercomputer Center	\$4,844,000	\$5,086,000
Y	GRF	235511	The Ohio State University Extension Service	\$25,504,000	\$26,269,000

Z	GRF	235514	Central State Supplement	\$12,036,000	\$12,397,000
AA	GRF	235515	Case Western Reserve University School of Medicine	\$2,100,000	\$2,163,000
AB	GRF	235519	Family Practice	\$3,098,000	\$3,191,000
AC	GRF	235520	Shawnee State Supplement	\$9,000,000	\$9,000,000
AD	GRF	235525	Geriatric Medicine	\$511,000	\$526,000
AE	GRF	235526	Primary Care Residencies	\$1,468,000	\$1,512,000
AF	GRF	235530	Governor's Merit Scholarship	\$0	\$20,000,000
AG	GRF	235533	Program and Project Support	\$17,550,000	\$15,100,000
AH	GRF	235535	Ohio State Agricultural Research	\$37,169,000	\$38,284,000
AI	GRF	235536	The Ohio State University Clinical Teaching	\$9,461,000	\$9,745,000
AJ	GRF	235537	University of Cincinnati Clinical Teaching	\$8,085,000	\$8,343,000
AK	GRF	235538	University of Toledo Clinical Teaching	\$6,065,000	\$6,247,000
AL	GRF	235539	Wright State University Clinical Teaching	\$4,447,000	\$4,535,000

AM GRF	235540	Ohio University Clinical Teaching	\$2,849,000	\$2,934,000
AN GRF	235541	Northeast Ohio Medical University Clinical Teaching	\$2,930,000	\$3,018,000
AO GRF	235543	Kent State University College of Podiatric Medicine Clinic Subsidy	\$500,000	\$500,000
AP GRF	235546	Central State Agricultural Research and Development	\$5,828,000	\$5,828,000
AQ GRF	235548	Central State Cooperative Extension Services	\$5,168,000	\$5,168,000
AR GRF	235552	Capital Component	\$1,584,000	\$1,584,000
AS GRF	235555	Library Depositories	\$1,100,000	\$900,000
AT GRF	235556	Ohio Academic Resources Network	\$3,262,000	\$3,568,000
AU GRF	235558	Long-term Care Research	\$318,000	\$327,000
AV GRF	235563	Ohio College Opportunity Grant	\$200,000,000	\$200,000,000
AW GRF	235569	The Ohio State University College of Veterinary Medicine Supplement	\$5,150,000	\$5,304,000
AX GRF	235572	The Ohio State University	\$750,000	\$772,000

Clinic Support

AY	GRF	235578	Federal Research Network	\$5,099,000	\$5,251,000
AZ	GRF	235585	Educator Preparation Programs	\$500,000	<del>\$500,000</del> <u>\$2,650,000</u>
BA	GRF	235591	Co-Op Internship Program	\$1,215,000	\$1,215,000
BB	GRF	235595	Commercial Truck Driver Student Aid Program	\$2,550,000	\$2,550,000
BC	GRF	235598	Rural University Program	\$412,000	\$424,000
BD	GRF	235599	National Guard Scholarship Program	\$18,400,000	\$19,250,000
BE	GRF	2355A1	FAFSA Support Teams	\$0	\$1,000,000
BF	<u>GRF</u>	<u>2355A3</u>	<u>Campus Community Grant</u> <u>Program</u>	<u>\$0</u>	<u>\$1,000,000</u>
BG	GRF	235909	Higher Education General Obligation Bond Debt Service	\$250,000,000	\$275,000,000
BH	TOTAL GRF	General Revenue Fund		<del>\$2,879,389,372</del>	<del>\$2,957,163,939</del> <u>\$2,879,389,372</u> <u>\$2,963,313,939</u>
BI	Dedicated Purpose Fund Group				
BJ	2200	235614	Program Approval and Reauthorization	\$875,000	\$882,000

BK	4560	235603	Sales and Services	\$199,250	\$199,250
BL	4E80	235602	Higher Educational Facility Commission Administration	\$67,600	\$67,600
BM	5AH1	235688	Super RAPIDS	\$100,000,000	\$0
BN	5A01	235613	Northeast Ohio Medical University Dental School	\$4,000,000	\$0
BO	5D40	235675	Conference/Special Purposes	\$250,000	\$250,000
BP	5FR0	235650	State and Non-Federal Grants and Award	\$1,402,150	\$1,402,150
BQ	5NH0	235517	Talent Ready Grant Program	\$10,000,000	\$10,000,000
BR	5P30	235663	Variable Savings Plan	\$8,363,600	\$8,522,034
BS	5YD0	235494	Second Chance Grant Program	\$2,000,000	\$2,000,000
BT	5ZY0	235592	Grow Your Own Teacher Program	\$5,000,000	\$10,000,000
BU	6450	235664	Guaranteed Savings Plan	\$1,099,122	\$1,110,131
BV	6820	235606	Nursing Loan Program	\$1,150,000	\$1,200,000
BW	TOTAL	DPF	Dedicated Purpose Fund Group	\$134,406,722	\$35,633,165
BX	Bond Research and Development Fund Group				

BY 7014	235639	Research Incentive Third Frontier - Tax	\$8,000,000	\$8,000,000
BZ	TOTAL BRD Bond	Research and Development Fund Group	\$8,000,000	\$8,000,000
CA	Federal	Fund Group		
CB 3120	235611	Gear-up Grant	\$2,400,000	\$2,400,000
CC 3120	235612	Carl D. Perkins Grant/Plan Administration	\$1,350,000	\$1,350,000
CD 3120	235641	Aspire - Federal	\$18,600,000	\$18,600,000
CE 3120	235669	Industry Credential Transfer Assurance Guides Initiative	\$300,000	\$300,000
CF 3BG0	235651	Gear Up Grant Scholarships	\$3,100,000	\$3,100,000
CG 3N60	235658	John R. Justice Student Loan Repayment Program	\$128,000	\$128,000
CH	TOTAL FED	Federal Fund Group	\$25,878,000	\$25,878,000
CI	<del>TOTAL ALL BUDGET FUND GROUPS</del>		<del>\$3,047,674,094</del>	<del>\$3,026,675,104</del>
CJ	<u>TOTAL ALL BUDGET FUND GROUPS</u>		<u>\$3,047,674,094</u>	<u>\$3,032,825,104</u>

<b>Sec. 381.220.</b>	AREA HEALTH EDUCATION CENTERS PROGRAM	3284
	SUPPORT	3285
	The foregoing appropriation item 235474, Area Health	3286
	Education Centers Program Support, shall be used by the	3287

Chancellor of Higher Education to support the medical school 3288  
regional area health education centers' educational programs for 3289  
the continued support of medical and other health professions 3290  
education and for support of the Area Health Education Center 3291  
Program. 3292

CAMPUS SECURITY SUPPORT PROGRAM 3293

The foregoing appropriation item 235475, Campus Security 3294  
Support Program, shall be distributed by the Chancellor of 3295  
Higher Education to institutionally sanctioned student 3296  
organizations affiliated with communities that are at risk for 3297  
increased threats of violent crime, terror attacks, hate crimes, 3298  
or harassment to enhance security measures and increase student 3299  
safety at institutions of higher education throughout the state. 3300  
A portion of the foregoing appropriation item 235475, Campus 3301  
Security Support Program, may be used by the Chancellor to 3302  
administer the program. 3303

CAMPUS STUDENT SAFETY GRANT PROGRAM 3304

The foregoing appropriation item 235476, Campus Student 3305  
Safety Grant Program, shall be used by the Chancellor of Higher 3306  
Education to support the Campus Student Safety Grant Program 3307  
pursuant to section 3333.80 of the Revised Code. 3308

**Sec. 381.525. EDUCATOR PREPARATION PROGRAMS** 3309

(A) (1) Of the foregoing appropriation item 235585, 3310  
Educator Preparation Programs, \$250,000 in each fiscal year 3311  
shall be used by the Chancellor of Higher Education to award 3312  
competitive grants of up to \$10,000 to institutions of higher 3313  
education to promote student teacher placement with teachers 3314  
who: 3315

(a) Received instruction in evidenced-based strategies 3316



aligned to the science of reading;	3317
(b) Use high quality instructional materials aligned to	3318
the science of reading; and	3319
(c) Implement a structured literacy approach in their	3320
classrooms.	3321
(2) The Chancellor shall establish procedures and criteria	3322
for awarding the grants under this division.	3323
(B) Of the foregoing appropriation item 235585, Educator	3324
Preparation Programs, \$175,000 in each fiscal year shall be used	3325
by the Chancellor to award competitive grants of up to \$20,000	3326
to institutions of higher education to assist with aligning	3327
their teacher preparation programs with the science of reading.	3328
The Chancellor shall establish procedures and criteria for	3329
awarding grants under this division.	3330
(C) <u>Of the foregoing appropriation item 235585, Educator</u>	3331
<u>Preparation Programs, \$150,000 in fiscal year 2025 shall be used</u>	3332
<u>by the Chancellor for the activities required under section</u>	3333
<u>3333.0419 of the Revised Code.</u>	3334
(D) <u>The remainder of the foregoing appropriation item</u>	3335
<u>235585, Educator Preparation Programs, shall be used by the</u>	3336
<u>Chancellor pursuant to section 3333.048 of the Revised Code.</u>	3337
<b>Sec. 381.565. FAFSA SUPPORT TEAMS</b>	3338
The foregoing appropriation item 2355A1, FAFSA Support	3339
Teams, shall be used by the Chancellor of Higher Education	3340
pursuant to section 3333.303 of the Revised Code.	3341
<u>CAMPUS COMMUNITY GRANT PROGRAM</u>	3342
<u>The foregoing appropriation item 2355A3, Campus Community</u>	3343

Grant Program, shall be used by the Chancellor of Higher 3344  
Education to support the Campus Community Grant Program pursuant 3345  
to section 3333.801 of the Revised Code. 3346

**Sec. 413.10.** 3347

3348

	1	2	3	4	5
A	TOS TREASURER OF STATE				
B	General Revenue Fund				
C	GRF	090321	Operating Expenses	\$6,478,000	\$5,432,000
D	GRF	090406	Treasury Management System Lease Rental Payments	\$1,120,000	\$1,120,000
E	<u>GRF</u>	<u>090409</u>	<u>County Recorder Electronic</u> <u>Record Modernization</u> <u>Program</u>	<u>\$0</u>	<u>\$4,500,000</u>
F	TOTAL GRF General Revenue Fund			\$7,598,000	<del>\$6,552,000</del> <u>\$11,052,000</u>
G	Dedicated Purpose Fund Group				
H	4E90	090603	Securities Lending Income	\$10,022,465	\$11,068,905
I	4X90	090614	Political Subdivision Obligation	\$35,000	\$35,000
J	5770	090605	Investment Pool	\$1,700,000	\$1,700,000

			Reimbursement		
K	5C50	090602	County Treasurer Education	\$250,000	\$250,000
L	<u>5BD1</u>	<u>090576</u>	<u>County Recorder Electronic</u> <u>Record Supplement</u>	<u>\$0</u>	<u>\$1,500,000</u>
M	6050	090609	Treasurer of State Administrative Fund	\$1,800,000	\$1,800,000
N	TOTAL DPF Dedicated Purpose Fund Group			\$13,807,465	<del>\$14,853,905</del> <u>\$16,353,905</u>
O	Fiduciary Fund Group				
P	4250	090635	Tax Refunds	\$12,000,000	\$12,000,000
Q	TOTAL FID Fiduciary Fund Group			\$12,000,000	\$12,000,000
R	<del>TOTAL ALL BUDGET FUND GROUPS</del>			<del>\$33,405,465</del>	<del>\$33,405,905</del>
S	<u>TOTAL ALL BUDGET FUND GROUPS</u>			<u>\$33,405,465</u>	<u>\$39,405,905</u>

**Section 5.** That existing Sections 381.10, 381.220, 381.525, 381.565, and 413.10 of H.B. 33 of the 135th General Assembly are hereby repealed.

**Section 6.** COUNTY RECORDER ELECTRONIC RECORD MODERNIZATION FUND

The County Recorder Electronic Modernization Fund (Fund 5BD1) is created in the state treasury. Money in the fund shall be used to distribute funds to reimburse counties under the County Recorder Electronic Record Modernization Program, for use by county recorder's offices to implement the requirements set

forth in divisions (E) and (F) of section 317.13 of the Revised Code, upon the effective date of that section, as amended by this act. The Treasurer of State shall reimburse counties on a rolling basis until the appropriation is expended. Counties that meet the requirements set forth in divisions (E) and (F) of section 317.13 of the Revised Code on the effective date of that section, as amended by this act, are ineligible for funds under the Program. To be eligible for reimbursement under the Program, an expense must be incurred on or after the effective date of section 317.13 of the Revised Code as amended by this act; expenses incurred before the effective date of section 317.13 of the Revised Code, as amended by this act, are not eligible for reimbursement. A county that receives funds under the Program shall credit those funds to the Recorder's Technology Fund at least to the extent necessary to reimburse the fund for money the county recorder spent to implement the requirements set forth in divisions (E) and (F) of section 317.13 of the Revised Code, as amended by this act.

On July 1, 2023, or as soon as possible thereafter, the Treasurer of State shall transfer \$1,500,000 cash from the Assurance Fund in the custody of the Treasurer of State, to the County Recorder Electronic Modernization Fund (Fund 5BD1).

**Section 7.** If a county utilizes funds received under Section 6 of this act to implement the requirements set forth in divisions (E) and (F) of section 317.13 of the Revised Code as amended by this act, it shall be within the county recorder's discretion whether to hire new staff or enter into a contract with a private entity in order to implement those requirements.

**Section 8.** (A) The Chancellor of Higher Education shall establish a committee on combating antisemitism, Islamophobia,

anti-Christian discrimination, and other forms of racial, 3389  
religious, and ethnic harassment and intimidation. The committee 3390  
shall develop a model policy, guidance, best practices, and 3391  
recommendations for further action for policies described under 3392  
division (B) of section 3320.05 of the Revised Code. The 3393  
committee shall consist of representatives from each of the 3394  
following: 3395

- (1) Legal counsel from institutions of higher education; 3396
- (2) Offices of student life from institutions of higher 3397  
education; 3398
- (3) Institutionally sanctioned student organizations from 3399  
institutions of higher education; 3400
- (4) The Inter-University Council of Ohio; 3401
- (5) The Ohio Association of Community Colleges; 3402
- (6) Organizations representing faith-based communities; 3403
- (7) Organizations representing racial and ethnic 3404  
communities; 3405
- (8) Any other stakeholders determined appropriate by the 3406  
Chancellor. 3407

(B) The model policy, guidance, best practices, and 3408  
recommendations for further action developed under this section 3409  
shall include all of the following: 3410

- (1) A review of current investigation procedures and 3411  
recommendations to increase transparency of the process and 3412  
outcome that is allowable under existing state and federal laws; 3413
- (2) Model training requirements that provide information 3414  
on how to respond to hate crimes or incidents of racial, 3415

religious, or ethnic harassment or intimidation during a class 3416  
or event held at the institution at the time the incident 3417  
occurs. The training shall be for all institution 3418  
administration, faculty, and staff employed by an institution. 3419

(3) Best practices for collaboration with local, state, 3420  
and federal law enforcement to enhance security functions for 3421  
students that face threats of terror attack and hate crimes; 3422

(4) A framework to promote an institution's conduct 3423  
policies; 3424

(5) Recommended definitions for institutions of higher 3425  
education to incorporate in policies adopted under section 3426  
3320.05 of the Revised Code; 3427

(6) Model procedures for investigating student complaints 3428  
submitted under division (B) (2) of section 3320.05 of the 3429  
Revised Code including communication to students on complaints 3430  
submitted to institutions. 3431

(C) Not later than the first day of July immediately 3432  
following the effective date of this section, the Chancellor 3433  
shall issue a report that includes the model policy, guidance, 3434  
best practices, and recommendations for further action developed 3435  
by the committee. The Chancellor shall submit the report to the 3436  
Governor, the President and Minority Leader of the Senate, and 3437  
the Speaker and Minority Leader of the House of Representatives. 3438

**Section 9.** The Registrar of Motor Vehicles shall waive and 3439  
abate all unpaid penalties incurred as a result of a violation 3440  
of section 4505.131 of the Revised Code, as that section existed 3441  
prior to the effective date of its repeal by this act. 3442

**Section 10.** The amendment by this act of section 4505.13 3443  
of the Revised Code applies on and after January 1, 2025, or the 3444

effective date of this section, whichever is later. 3445

**Section 11.** The enactment by this act of sections 3320.05, 3446  
3320.06, 3320.07, 3320.08, 3333.80, and 3333.801 of the Revised 3447  
Code and Section 8 of this act shall be known as the Campus 3448  
Accountability and Modernization to Protect University Students 3449  
or "CAMPUS" Act. 3450