

As Passed by the House

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**

**Representatives Abrams, Brennan, Carruthers, Cross, Dell'Aquila, Dobos, Hillyer,
Holmes, Jarrells, Jones, LaRe, Manning, Mathews, Robb Blasdel, Schmidt, Seitz,
Stewart, Troy, White, Williams, Young, T.**

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 or electronic 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

(C) The document preservation surcharge collected under 316
section 317.32 of the Revised Code is not a base fee under this 317
section. 318

Sec. 1113.13. (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

(4) For any purpose authorized by section 1701.70 of the 350
Revised Code. 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 403
approved amendment to a stock state bank's articles of 404
incorporation, the bank shall send to the superintendent a 405
certificate containing a copy of the directors' resolution 406
adopting the amendment and a statement of the manner of and 407
basis for its adoption. The certificate shall be signed by the 408
bank's authorized representatives in accordance with section 409
1103.19 of the Revised Code. 410

(2) Upon adoption by the board of directors of approved 411
amended articles of incorporation, the bank shall send to the 412
superintendent a copy of the amended articles of incorporation, 413
accompanied by a certificate containing a copy of the directors' 414
resolution adopting the amended articles of incorporation and a 415
statement of the manner of and basis for its adoption. The 416
certificate shall be signed by the bank's authorized 417
representatives in accordance with section 1103.19 of the 418
Revised Code. 419

(F) Upon receiving a certificate required by division (E) 420
of this section, the superintendent shall conduct whatever 421
examination the superintendent considers necessary to determine 422
if the manner of and basis for adoption of the amendment or 423
amended articles of incorporation comply with the requirements 424
of the Revised Code. 425

(G) (1) Within thirty days after receiving a certificate 426
required by division (E) of this section, the superintendent 427
shall approve or disapprove the amendment or amended articles of 428
incorporation. If the superintendent approves the amendment or 429

amended articles of incorporation, the superintendent shall 430
forward a certificate of that approval, a copy of the 431
certificate required by division (E) of this section, and a copy 432
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 acknowledgment 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) 643
(3) of this section are Chapter 133. securities. 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)~~
(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 charge a fee, in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession.

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

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

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

(a) "Criminal cause" means a charge alleging the violation of a statute or ordinance, or subsection of a statute or ordinance, that requires a separate finding of fact or a separate plea before disposition and of which the defendant may

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~~7-~~ 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, ~~he~~ 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

Sec. 3333.0419. (A) The chancellor of higher education 1176
shall do all of the following: 1177

(1) Conduct a survey of each undergraduate and graduate 1178
educator preparation program for teachers and administrators 1179
that is offered by an institution of higher education to 1180
determine what instruction the programs are providing to 1181
students in mental and behavioral health, behavior management, 1182
and classroom management, including how they are incorporating 1183
education on adverse childhood experiences and trauma. The 1184
survey shall focus on the current instruction provided by the 1185
preparation programs, including all of the following: 1186

(a) Processes for establishing a positive school and 1187
classroom climate; 1188

(b) Knowledge of the reasons for disruptive behaviors and 1189
how teacher and administrator actions impact the classroom and 1190
school climate; 1191

(c) Evidence-based techniques for preventing, managing, 1192
and responding to mild, moderate, and more disruptive student 1193
behaviors; 1194

(d) Processes for fostering and maintaining positive 1195
teacher and student relationships; 1196

(e) Procedures for designing and using trauma-informed 1197
instructional approaches; 1198

(f) Processes for using restorative practices in response 1199
to disruptive behaviors; 1200

(g) Techniques provided to teachers and administrators to 1201

manage their own stress and foster their own well-being. 1202

The survey shall be created in conjunction with the 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 Revised Code. 1230
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(B) The chancellor of higher education shall establish and administer the campus student safety grant program. Under the program, the chancellor shall award grants to institutions of higher education to enhance security measures and increase student safety. The chancellor shall develop guidelines and procedures for the program, including an application process, criteria for awards, and a method to determine the distribution of awards. Priority shall be given to institutions that demonstrate increased threats of violent crime, terror attacks, hate crimes, or harassment toward students and institutionally sanctioned student organizations at the institution. 1232
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Sec. 3333.801. (A) As used in this section, "institution of higher education" means the following: 1243
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(1) A state institution of higher education as defined in section 3345.011 of the Revised Code; 1245
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(2) A private college as defined in section 3365.01 of the Revised Code. 1247
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(B) The chancellor of higher education shall establish and administer the campus community grant program. Under the program, the chancellor shall provide funding to institutionally sanctioned student organizations at institutions of higher education to support intergroup and interfaith outreach and cultural competency between institutionally sanctioned student organizations. The chancellor shall develop guidelines and procedures for the program, including an application process, criteria for awards, and a method to determine the distribution 1249
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<u>of awards.</u>	1258
<u>Sec. 3345.0210. (A) As used in this section:</u>	1259
<u>(1) "Community college" has the same meaning as in section 3333.168 of the Revised Code.</u>	1260 1261
<u>(2) "Qualifying student" means a newly admitted full-time student who is seeking a degree.</u>	1262 1263
<u>(3) "State university" has the same meaning as in section 3345.011 of the Revised Code.</u>	1264 1265
<u>(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.</u>	1266 1267 1268 1269 1270 1271 1272 1273 1274
<u>(C) The university shall include all of the following information in the form:</u>	1275 1276
<u>(1) Costs associated with attendance including all of the following:</u>	1277 1278
<u>(a) General and instructional fees;</u>	1279
<u>(b) Room and board, or a reasonable estimate of room and board if the qualifying student has not selected a room and board plan;</u>	1280 1281 1282
<u>(c) Special fees that the state university charges at the time the form is created.</u>	1283 1284

(2) The qualifying student's aggregate cost of attendance, including the instructional, general, and special fees and room and board; 1285
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(3) All available sources of financial aid offered by the state university for which the qualifying student would be eligible including all of the following: 1288
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(a) Any grants and scholarships the state university is aware of and that it offers, including a description of any requirements for maintaining that eligibility; 1291
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1293

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

(c) Work study programs, including a description of any requirements for maintaining that eligibility. 1296
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(4) The qualifying student's expected net cost of attendance after the student's aggregate financial aid, including the student's grants, scholarships, loans, and work study programs, is applied to the student's aggregate cost of attendance; 1298
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(5) The qualifying student's expected monthly education loan payment upon graduation based on the student loans described in division (C) (3) (b) of this section; 1303
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(6) The income range between the twenty-fifth and seventy-fifth percentiles for all of the following: 1306
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(a) The state university's most recent cohort of graduates; 1308
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(b) The state university's cohort of graduates who graduated five years prior to the qualifying student's admission to the university; 1310
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1312

(c) If the qualifying student has declared a major or enrolled in a particular school at the state university, the university shall include income ranges for graduates who had that major or were enrolled in that school. 1313
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(D) Beginning one year after the effective date of this section, each community college shall provide a qualifying student a financial cost and aid disclosure form with the student's financial aid award letter. The form shall be based on the template developed or approved under division (E) of this section. The form may be provided electronically and shall not exceed one double-sided page in length when it is printed. 1317
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(1) A community college shall include the information described in divisions (C) (1) to (5) of this section in the financial cost and aid disclosure form. Nothing in this section shall be construed to prohibit a community college from providing financial counseling, including advising students on expected monthly loan payments for total loan amounts a student may borrow. 1324
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(2) A community college shall provide a qualifying student, with the student's acceptance letter, a link to a readily available page on the college's web site that contains information on the income ranges described in division (C) (6) of this section. 1331
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(E) The chancellor of higher education shall develop a financial cost and aid disclosure form template or approve an existing alternative that addresses the information described in division (C) of this section. The chancellor shall develop or approve the template in consultation with the United States department of education and financial aid directors from state institutions of higher education to ensure alignment with the 1336
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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 authority agree to make any payment to the school district as described in division (A) (2) (c) of this section, the owner or legislative authority shall agree to make payments to the joint vocational school district within which the property is located at the same rate or amount and under the same terms received by the city, local, or exempted village school district.

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

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

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

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

(4) A statement that the owner certifies, at the time the agreement is executed, that the owner does not owe any delinquent property taxes or taxes for which the owner is liable

under Chapter 5735., 5739., 5741., 5743., 5747., or 5753. of the Revised Code, or, if such delinquent taxes are owed, that the owner is paying the delinquent taxes pursuant to an undertaking enforceable by the state or an agent or instrumentality thereof, has filed a petition in bankruptcy, or has had a bankruptcy petition filed against the owner;

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

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

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

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

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

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

The model agreement shall also provide that a legislative authority may, but is not required to, include a statement describing the manner by which the legislative authority may recover already-received benefits, which may include an action

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

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

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

(B) When an agency contract is proposed, when an existing agency contract is assigned, when an existing agency proposes to relocate, or when an existing agency is relocated and assigned, before entering into any contract, consenting to any assignment, or consenting to any relocation, the division shall notify the legislative authority of the municipal corporation in which the agency store is to be located, or the board of county commissioners and the board of township trustees of the county and the township in which the agency store is to be located if the agency store is to be located outside the corporate limits of a municipal corporation, of the proposed contract, assignment, or relocation, and an opportunity shall be provided officials or employees of the municipal corporation or county and township for a complete hearing upon the advisability of entering into the contract or consenting to the assignment or

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 rules adopted by the superintendent of liquor control under section 4303.25 of the Revised Code.	1674 1675 1676
(2) "Tasting sample" means a small amount of spirituous liquor that is provided in a serving of not more than a quarter ounce of spirituous liquor and, if provided, not more than one ounce of nonalcoholic mixer to an authorized purchaser <u>person</u> and that allows the purchaser <u>person</u> to determine, by tasting only, the quality and character of the beverage.	1677 1678 1679 1680 1681 1682
(3) "Trade marketing company" means a company that solicits the purchase of beer and intoxicating liquor and educates the public about beer and intoxicating liquor.	1683 1684 1685
(4) "Trade marketing professional" means an individual who is an employee of, or is under contract with, a trade marketing company and who has successfully completed a training program described in section 4301.253 of the Revised Code.	1686 1687 1688 1689
(B) Notwithstanding section 4301.24 of the Revised Code, an agency store to which a D-8 permit has been issued may allow a trade marketing professional, broker, or solicitor to offer for sale tasting samples of spirituous liquor when conducted in accordance with this section. A tasting sample shall not be sold <u>provided</u> for the purpose of general consumption.	1690 1691 1692 1693 1694 1695
(C) Tasting samples of spirituous liquor may be offered for sale at an agency store by a trade marketing professional, broker, or solicitor if all of the following apply:	1696 1697 1698
(1) The tasting samples are sold <u>provided</u> only in the area of the agency store in which spirituous liquor is sold and that area is open to the public.	1699 1700 1701

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~~ 1742
consumption of tasting samples of spirituous liquor shall 1743
~~purchase or~~ consume a tasting sample while on duty. 1744

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

Sec. 4399.15. 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, ~~grains of paradise,~~ 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

Sec. 4505.104. (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, 2523
including a funeral hearse, while used to facilitate the 2524
movement of a funeral procession. 2525

(XX) "Alley" means a street or highway intended to provide 2526
access to the rear or side of lots or buildings in urban 2527
districts and not intended for the purpose of through vehicular 2528
traffic, and includes any street or highway that has been 2529
declared an "alley" by the legislative authority of the 2530
municipal corporation in which such street or highway is 2531
located. 2532

(YY) "Freeway" means a divided multi-lane highway for 2533
through traffic with all crossroads separated in grade and with 2534
full control of access. 2535

(ZZ) "Expressway" means a divided arterial highway for 2536
through traffic with full or partial control of access with an 2537
excess of fifty per cent of all crossroads separated in grade. 2538

(AAA) "Thruway" means a through highway whose entire 2539
roadway is reserved for through traffic and on which roadway 2540
parking is prohibited. 2541

(BBB) "Stop intersection" means any intersection at one or 2542
more entrances of which stop signs are erected. 2543

(CCC) "Arterial street" means any United States or state 2544
numbered route, controlled access highway, or other major radial 2545
or circumferential street or highway designated by local 2546
authorities within their respective jurisdictions as part of a 2547
major arterial system of streets or highways. 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~~
~~by a state highway patrol trooper, or officer~~ within five
business days of the removal of the vehicle. Upon obtaining such
identity, the sheriff ~~or~~, chief, or department shall send or
cause to be sent to the owner ~~or~~ and any lienholder at the
owner's ~~or~~ and any lienholder's last known address 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 ~~or~~ and any lienholder that the
motor vehicle will be declared a nuisance and disposed of if not
claimed within ten days of the date of the sending of the
notice.

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

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~~ 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 2993
agency of a municipal corporation or port authority, or 2994
conservancy district within the sheriff's or chief's respective 2995
territorial jurisdiction, a state highway patrol trooper, a 2996
natural resources officer, a wildlife officer, a board of 2997
township trustees, the legislative authority of a municipal 2998
corporation or port authority, or the zoning authority of a 2999
township or a municipal corporation, may send notice, by 3000
certified mail with return receipt requested, to the person 3001
having the right to the possession of the property on which a 3002
junk motor vehicle is left, that within ten days of receipt of 3003
the notice, the junk motor vehicle either shall be covered by 3004
being housed in a garage or other suitable structure, or shall 3005
be removed from the property. 3006

No person shall willfully leave a junk motor vehicle 3007
uncovered in the open for more than ten days after receipt of a 3008
notice as provided in this section. The fact that a junk motor 3009
vehicle is so left is prima-facie evidence of willful failure to 3010
comply with the notice, and each subsequent period of thirty 3011
days that a junk motor vehicle continues to be so left 3012
constitutes a separate offense. 3013

(B) Whoever violates this section is guilty of a minor 3014
misdemeanor. 3015

Sec. 4513.66. (A) If a motor vehicle accident occurs on 3016
any highway, public street, or other property open to the public 3017
for purposes of vehicular travel and if any motor vehicle, 3018
cargo, or personal property that has been damaged or spilled as 3019
a result of the motor vehicle accident is blocking the highway, 3020
street, or other property or is otherwise endangering public 3021
safety, a public safety official may do either of the following 3022

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	\$500,000 <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	\$2,879,389,372	\$2,957,163,939 <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	TOTAL ALL BUDGET FUND GROUPS		\$3,047,674,094	\$3,026,675,104
CJ	<u>TOTAL ALL BUDGET FUND GROUPS</u>		<u>\$3,047,674,094</u>	<u>\$3,032,825,104</u>

Sec. 381.220.	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
Sec. 381.565. FAFSA SUPPORT TEAMS	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	\$6,552,000 <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	\$14,853,905 <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	TOTAL ALL BUDGET FUND GROUPS			\$33,405,465	\$33,405,905
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