

AN ACT

To amend sections 3304.23 and 5502.08 of the Revised Code to expand the communication disability database to include any person with a disability, to expand access to that database through countywide 9-1-1 systems, and to name this act "Keith's Law".

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 3304.23 and 5502.08 of the Revised Code be amended to read as follows:

Sec. 3304.23. (A) As used in this section:

(1) "Clinical nurse specialist" and "certified nurse practitioner" have the same meanings as in section 4723.01 of the Revised Code.

(2) ~~"Communication disability" means a human condition involving an impairment in the human's ability to receive, send, process, or comprehend concepts or verbal, nonverbal, or graphic symbol systems that may result in a primary disability or may be secondary to other disabilities.~~

(3) ~~"Disability that can impair communication" means a human condition with symptoms that can impair the human's ability to receive, send, process, or comprehend concepts or verbal, nonverbal, or graphic symbol systems~~ an intellectual impairment, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, a serious health impairment, a specific learning impairment (including dyslexia), deaf-blindness, or a mental health condition with symptoms that make it difficult for a person to do certain activities or to interact with others.

(4)(3) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.

(5)(4) "Physician" means a person licensed to practice medicine or surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code.

(6)(5) "Psychiatrist" has the same meaning as in section 5122.01 of the Revised Code.

(7)(6) "Psychologist" has the same meaning as in section 4732.01 of the Revised Code.

(B) The opportunities for Ohioans with disabilities agency shall develop a verification form for a person diagnosed with a ~~communication disability or a disability that can impair communication~~ to be submitted voluntarily to the department of public safety so that the person may be included in the database established under section 5502.08 of the Revised Code. The same form shall be used to indicate that the person wishes to be removed from the database in accordance with division (F) of section 5502.08 of the Revised Code.

(C) The form shall include the following information:

(1) The name of the person diagnosed with a ~~communication disability or a disability that can impair communication~~;

(2) The name of the person completing the form on behalf of the person diagnosed with a ~~communication disability or a disability that can impair communication~~, if applicable;

(3) The relationship between the person completing the form and the person diagnosed with a ~~communication disability or a disability that can impair communication~~, if applicable;

(4) The residential address of the individual in division (C)(1) or (2) of this section;

(5) The telephone number of the individual in division (C)(1) or (2) of this section;

~~(4)(6)~~ The driver's license number or state identification card number issued to the person diagnosed with a ~~communication disability or a disability that can impair communication~~, if that person has such a number;

~~(5)(7)~~ The license plate number of each vehicle owned, operated, or regularly occupied by the person diagnosed with a ~~communication disability or a disability that can impair communication~~ or registered in that person's name;

~~(6)(8)~~ A certification that the person has been diagnosed with a ~~communication disability or a disability that can impair communication~~, signed by a psychiatrist or other physician, a psychologist, a clinical nurse specialist, or a certified nurse practitioner;

~~(7)(9)~~ The name, business address, business telephone number, and professional license number of the professional making the certification described in division (C)(6) of this section;

~~(8)(10)~~ The signature of the person diagnosed with a ~~communication disability or a disability that can impair communication~~ or the signature of the person completing the form on behalf of such a person;

~~(9)(11)~~ A place where the person diagnosed with a ~~communication disability or a disability that can impair communication~~ or the person completing the form on behalf of such a person may indicate the desire to be removed from the database.

(D) Any of the following persons may complete the verification form:

(1) Any person diagnosed with a ~~communication disability or a disability that can impair communication~~ who is eighteen years of age or older;

(2) The parent or parents of a minor child diagnosed with a ~~communication disability or a disability that can impair communication~~;

(3) The guardian of a person diagnosed with a ~~communication disability or a disability that can impair communication~~, regardless of the age of the person.

~~(E)(E)(1)~~ The opportunities for Ohioans with disabilities agency, the department of developmental disabilities, and the department of public safety shall make the verification form electronically available on each of their respective web sites.

(2) The opportunities for Ohioans with disabilities agency and the department of developmental disabilities shall conduct public outreach concerning the existence of the database

created under section 5502.08 of the Revised Code and include information regarding the database on their respective web sites.

Sec. 5502.08. (A) As used in this section:

(1) ~~"Communication disability" has the same meaning as in section 3304.23 of the Revised Code.~~

(2) ~~"Disability that can impair communication" has the same meaning as in section 3304.23 of the Revised Code.~~

(3)-(2) "Emergency medical service personnel" and "firefighter" have the same meanings as in section 4765.01 of the Revised Code.

(3) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.

(4) "Ward" has the same meaning as in section 2111.01 of the Revised Code.

(B) The department of public safety shall establish and maintain a database of persons who register under this section as being diagnosed with a ~~communication disability or a disability that can impair communication.~~

(C) Any person diagnosed with a ~~communication disability or a disability that can impair communication~~ who is eighteen years of age or older may register with the department for inclusion in the database by submitting a completed verification form established by the opportunities for Ohioans with disabilities agency under section 3304.23 of the Revised Code.

(D) Any parent or guardian of a minor child or a ward diagnosed with a ~~communication disability or a disability that can impair communication~~ may register the minor child or the ward with the department for inclusion in the database by submitting a completed verification form established by the opportunities for Ohioans with disabilities agency under section 3304.23 of the Revised Code.

(E)(1) The department shall include in the database information provided on a completed verification form that the department determines is necessary for a law enforcement officer, emergency medical service personnel, or firefighter to identify a person as diagnosed with a ~~communication disability or a disability that can impair communication~~. The department shall make the database available to state and local law enforcement officers, emergency medical service personnel, and firefighters through ~~the both of the following, as applicable:~~

(a) The law enforcement automated data system;

(b) Each countywide 9-1-1 system established under section 128.03 of the Revised Code. A countywide 9-1-1 system shall use the database to provide information concerning an individual's disability to local law enforcement officers, emergency medical service personnel, and firefighters, as applicable, that are responding to a 9-1-1 communication concerning that individual.

(2) Information in the database is not a public record subject to inspection or copying under section 149.43 of the Revised Code.

(F) A person diagnosed with a ~~communication disability or a disability that can impair communication~~ who is included in the database or the parent or guardian of a minor child or a ward

diagnosed with a ~~communication disability or a disability that can impair communication~~ who is included in the database may request removal of the person, minor, or ward, as applicable, from the database. The person, parent, or guardian shall do so by completing the verification form with only the information required under divisions (C)(1), (2), (3), ~~(8)~~(10), and ~~(9)~~(11) of section 3304.23 of the Revised Code, as applicable, and submitting the form to the department. Upon receipt of a properly completed verification form requesting the removal of a person with a ~~communication disability or a disability that can impair communication~~ from the database, the department shall immediately remove that person from the database.

SECTION 2. That existing sections 3304.23 and 5502.08 of the Revised Code are hereby repealed.

SECTION 3. This act shall be known as Keith's Law.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

H. B. No. 144

136th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____