

**As Reported by the Senate Addiction and Community Revitalization
Committee**

136th General Assembly

**Regular Session
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Sub. H. B. No. 393

Representatives Click, Brewer

**Cosponsors: Representatives Newman, Baker, Barhorst, Bird, Brennan, Brent,
Bryant Bailey, Claggett, Daniels, Fischer, Glassburn, Hall, D., Humphrey,
Isaacsohn, Lett, Mohamed, Russo, Salvo, Schmidt, Sigrist, Stephens, Synenberg,
Thomas, C., Tims, White, A., White, E., Williams, Willis, Young**

Senators Manning, Johnson

To amend sections 4507.01, 4507.50, 4507.51,	1
4507.52, and 5120.102 and to enact sections	2
2301.551 and 5120.106 of the Revised Code to	3
require that community-based correctional	4
facilities and programs and halfway house	5
organizations assist inmates in obtaining state	6
identification cards prior to release.	7

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

Section 1. That sections 4507.01, 4507.50, 4507.51,	8
4507.52, and 5120.102 be amended and sections 2301.551 and	9
5120.106 of the Revised Code be enacted to read as follows:	10

<u>Sec. 2301.551. (A) Within a reasonable time prior to a</u>	11
<u>prisoner who is serving a sentence within a community-based</u>	12
<u>correctional facility and program or a district community-based</u>	13
<u>correctional facility and program successfully completing the</u>	14
<u>programming at that facility, the facility shall attempt to</u>	15
<u>verify the prisoner's age and identity in order to satisfy the</u>	16

requirements of section 4507.51 of the Revised Code. 17

(B) The facility shall provide each prisoner who does not 18
have a current valid and unexpired state issued identification 19
card or driver's license with the application described in 20
section 4507.51 of the Revised Code. The facility shall submit 21
any completed application, along with a color photograph of the 22
prisoner and documentary evidence of the prisoner's age and 23
identity, to the registrar of motor vehicles in accordance with 24
the process established by the registrar under sections 4507.50 25
and 4507.51 of the Revised Code. 26

Sec. 4507.01. (A) As used in this chapter, "motor 27
vehicle," "motorized bicycle," "state," "owner," "operator," 28
"chauffeur," and "highways" have the same meanings as in section 29
4501.01 of the Revised Code. 30

"Driver's license" means a class D license issued to any 31
person to operate a motor vehicle or motor-driven cycle, other 32
than a commercial motor vehicle, and includes "probationary 33
license," "restricted license," "limited term license," and any 34
operator's or chauffeur's license issued before January 1, 1990. 35

"Probationary license" means the license issued to any 36
person between sixteen and eighteen years of age to operate a 37
motor vehicle. 38

"Restricted license" means the license issued to any 39
person to operate a motor vehicle subject to conditions or 40
restrictions imposed by the registrar of motor vehicles. 41

"Commercial driver's license" means the license issued to 42
a person under Chapter 4506. of the Revised Code to operate a 43
commercial motor vehicle. 44

"Commercial motor vehicle" has the same meaning as in 45

section 4506.01 of the Revised Code. 46

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction
permit, license, or endorsement for a motor-driven cycle or
motor scooter unless otherwise specified. 47
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"Motorized bicycle license" means the license issued under
section 4511.521 of the Revised Code to any person to operate a
motorized bicycle including a "probationary motorized bicycle
license." 51
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"Probationary motorized bicycle license" means the license
issued under section 4511.521 of the Revised Code to any person
between fourteen and sixteen years of age to operate a motorized
bicycle. 55
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"Identification card" means a card issued under sections
4507.50 to 4507.52 of the Revised Code. 59
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"Resident" means a person who, in accordance with
standards prescribed in rules adopted by the registrar, resides
in this state on a permanent basis. 61
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"Temporary resident" means a person who, in accordance
with standards prescribed in rules adopted by the registrar,
resides in this state on a temporary basis. 64
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"Community-based correctional facility and program" and
"district community-based correctional facility and program"
mean the facilities and programs created and organized in
accordance with sections 2301.51 to 2301.58 of the Revised Code. 67
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"Halfway house organization" has the same meaning as in
section 5120.102 of the Revised Code. 71
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(B) In the administration of this chapter and Chapter 73

4506. of the Revised Code, the registrar has the same authority 74
as is conferred on the registrar by section 4501.02 of the 75
Revised Code. Any act of an authorized deputy registrar of motor 76
vehicles under direction of the registrar is deemed the act of 77
the registrar. 78

To carry out this chapter, the registrar shall appoint 79
such deputy registrars in each county as are necessary. 80

The registrar also shall provide at each place where an 81
application for a driver's or commercial driver's license or 82
identification card may be made the necessary equipment to take 83
a photograph of the applicant for such license or card as 84
required under section 4506.11 or 4507.06 of the Revised Code, 85
and to conduct the vision screenings required by section 4507.12 86
of the Revised Code. 87

The registrar shall assign one or more deputy registrars 88
to any driver's license examining station operated under the 89
supervision of the director of public safety, whenever the 90
registrar considers such assignment possible. Space shall be 91
provided in the driver's license examining station for any such 92
deputy registrar so assigned. The deputy registrars shall not 93
exercise the powers conferred by such sections upon the 94
registrar, unless they are specifically authorized to exercise 95
such powers by such sections. 96

(C) No agent for any insurance company, writing automobile 97
insurance, shall be appointed deputy registrar, and any such 98
appointment is void. No deputy registrar shall in any manner 99
solicit any form of automobile insurance, nor in any manner 100
advise, suggest, or influence any licensee or applicant for 101
license for or against any kind or type of automobile insurance, 102
insurance company, or agent, nor have the deputy registrar's 103

office directly connected with the office of any automobile 104
insurance agent, nor impart any information furnished by any 105
applicant for a license or identification card to any person, 106
except the registrar. This division shall not apply to any 107
nonprofit corporation appointed deputy registrar. 108

(D) The registrar shall immediately remove a deputy 109
registrar who violates the requirements of this chapter. 110

Sec. 4507.50. (A) (1) The registrar of motor vehicles or a 111
deputy registrar shall issue an identification card to a person 112
when all of the following apply: 113

(a) The registrar or deputy registrar receives an 114
application completed in accordance with section 4507.51 of the 115
Revised Code and, if the person is under seventeen years of age, 116
payment of the applicable fees. 117

(b) The person is a resident or a temporary resident of 118
this state. 119

(c) The person is not licensed as an operator of a motor 120
vehicle in this state or another licensing jurisdiction. 121

(d) The person does not hold an identification card from 122
another jurisdiction. 123

(2) (a) The registrar of motor vehicles or a deputy 124
registrar may issue a temporary identification card when all of 125
the following apply: 126

(i) The registrar or deputy registrar receives an 127
application completed in accordance with section 4507.51 of the 128
Revised Code and payment of the applicable fees. 129

(ii) The person is a resident or temporary resident of 130
this state. 131

(iii) The person's Ohio driver's or commercial driver's license has been suspended or canceled. 132
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(iv) The person does not hold an identification card from another jurisdiction. 134
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(b) The temporary identification card shall be identical to an identification card, except that it shall be printed on its face with a statement that the card is valid for a temporary period. The temporary period shall be in accordance with the expiration dates specified in section 4507.501 of the Revised Code. 136
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(c) The cardholder shall surrender the temporary identification card to the registrar or any deputy registrar before the cardholder's driver's or commercial driver's license is restored or reissued. 142
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(B) (1) Except as provided in division (D) of this section, an applicant who is under seventeen years of age shall pay the following fees prior to issuance of an identification card or a temporary identification card: 146
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(a) A fee of three dollars and fifty cents if the card will expire on the applicant's birthday four years after the date of issuance or a fee of six dollars if the card will expire on the applicant's birthday eight years after the date of issuance; 150
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(b) A fee equal to the amount established under section 4503.038 of the Revised Code if the card will expire on the applicant's birthday four years after the date of issuance or twice that amount if the card will expire on the applicant's birthday eight years after the date of issuance; 155
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(c) A fee of one dollar and fifty cents if the card will 160

expire on the applicant's birthday four years after the date of 161
issuance or three dollars if the card will expire on the 162
applicant's birthday eight years after the date of issuance, for 163
the authentication of the documents required for processing an 164
identification card or temporary identification card. A deputy 165
registrar that authenticates the required documents shall retain 166
the entire amount of the fee. 167

(2) The fees collected for issuing an identification card 168
under this section, except for any fees allowed to the deputy 169
registrar, shall be paid into the state treasury to the credit 170
of the public safety - highway purposes fund created in section 171
4501.06 of the Revised Code. 172

(C) A person seventeen years of age or older may apply to 173
the registrar or a deputy registrar for the issuance to that 174
person of an identification card or a temporary identification 175
card under this section without payment of any fee prescribed in 176
division (B) of this section. 177

(D) A resident who is permanently or irreversibly disabled 178
and who is under seventeen years of age may apply to the 179
registrar or a deputy registrar for the issuance of an 180
identification card under this section without payment of any 181
fee as prescribed in division (B) of this section. A resident 182
who is in the custody of the department of rehabilitation and 183
correction~~or,~~ the department of youth services, a halfway 184
house organization, a community-based correctional facility and 185
program, or a district community-based correctional facility and 186
program and who is under seventeen years of age may apply to the 187
registrar for the issuance of an identification card under this 188
section without payment of any fee as prescribed in division (B) 189
of this section. 190

As used in this section, "permanently or irreversibly disabled" means a condition of disability from which there is no present indication of recovery.

An application made under division (D) of this section shall be accompanied by such documentary evidence as the registrar may require by rule.

(E) (1) The department of rehabilitation and correction shall submit an application for an identification card or temporary identification card, as applicable, to the registrar on behalf of an individual who is a prisoner at a state correctional institution and who has completed that application in accordance with section 5120.59 of the Revised Code.

(2) The department of youth services shall submit an application for an identification card or a temporary identification card, as applicable, to the registrar on behalf of an individual who is in the custody of the department at a juvenile correctional facility and who has completed that application in accordance with section 5139.511 of the Revised Code.

(3) A community-based correctional facility and program or a district community-based correctional facility and program shall submit an application for an identification card or a temporary identification card, as applicable, to the registrar on behalf of an individual who is in the custody of the facility and who has completed that application in accordance with section 2301.551 of the Revised Code.

(4) A halfway house organization shall submit an application for an identification card or a temporary identification card, as applicable, to the registrar on behalf

of an individual who is in the custody of the organization and 220
who has completed that application in accordance with section 221
5120.106 of the Revised Code. 222

(5) The registrar may establish a separate application and 223
process by which the departments shall submit any applications 224
to the registrar in accordance with this division and section 225
4507.51 of the Revised Code. 226

Sec. 4507.51. (A) (1) Every application for an 227
identification card or duplicate shall be made on an approved 228
form furnished by the registrar of motor vehicles and shall be 229
signed by the applicant. The application also shall be signed by 230
the applicant's parent or guardian, or by the department of 231
rehabilitation and correction~~or~~, the department of youth 232
services, a halfway house organization, a community-based 233
correctional facility and program, or a district community-based 234
correctional facility and program, as applicable, if the 235
applicant is under eighteen years of age. 236

Every application shall contain the following information: 237

(a) The applicant's name, date of birth, sex, general 238
description including the applicant's height, weight, hair 239
color, and eye color, address, country of citizenship, and 240
social security number. 241

(b) If an applicant has not already certified the 242
applicant's willingness to make an anatomical gift under section 243
2108.05 of the Revised Code, whether the applicant wishes to 244
certify willingness to make such an anatomical gift and 245
information about the requirements of sections 2108.01 to 246
2108.29 of the Revised Code that apply to persons who are less 247
than eighteen years of age. The statement regarding willingness 248

to make such a donation shall be given no consideration in the 249
decision of whether to issue an identification card. 250

(c) Whether the applicant has executed a valid durable 251
power of attorney for health care pursuant to sections 1337.11 252
to 1337.17 of the Revised Code or has executed a declaration 253
governing the use or continuation, or the withholding or 254
withdrawal, of life-sustaining treatment pursuant to sections 255
2133.01 to 2133.15 of the Revised Code and, if the applicant has 256
executed either type of instrument, whether the applicant wishes 257
the identification card issued to indicate that the applicant 258
has executed the instrument. 259

(d) Whether the applicant is a veteran, active duty, or 260
reservist of the armed forces of the United States and, if the 261
applicant is such, whether the applicant wishes the 262
identification card issued to indicate that the applicant is a 263
veteran, active duty, or reservist of the armed forces of the 264
United States by a military designation on the identification 265
card. 266

(2) Each applicant applying in person at a deputy 267
registrar office shall be photographed at the time of making an 268
application. 269

(3) The registrar or deputy registrar, in accordance with 270
section 3503.11 of the Revised Code, shall register as an 271
elector any person who applies for an identification card or 272
duplicate if the applicant is eligible and wishes to be 273
registered as an elector. The decision of an applicant whether 274
to register as an elector shall be given no consideration in the 275
decision of whether to issue the applicant an identification 276
card or duplicate. 277

(4) The application shall be accompanied by any necessary 278
documents, as required by the registrar. The registrar or the 279
deputy registrar may authenticate the submitted documents and 280
verify the information in the application. 281

(B) (1) Except as provided in division (B) (2) of this 282
section or section 4507.061 of the Revised Code, the application 283
for an identification card or duplicate shall be filed in the 284
office of the registrar or deputy registrar. Each applicant 285
shall present documentary evidence as required by the registrar 286
of the applicant's age and identity, and the applicant shall 287
swear that all information given is true. 288

All applications for an identification card or duplicate 289
under this section shall be filed in duplicate, and if submitted 290
to a deputy registrar, a copy shall be forwarded to the 291
registrar. The registrar shall prescribe rules for the manner in 292
which a deputy registrar is to file and maintain applications 293
and other records. The registrar shall maintain a suitable, 294
indexed record of all applications denied and cards issued or 295
canceled. 296

(2) The application for an identification card filed by 297
either the department of rehabilitation and correction~~or~~, the 298
department of youth services, a halfway house organization, a 299
community-based correctional facility and program, or a district 300
community-based correctional facility and program on behalf of 301
an individual in prison or in the department's, organization's, 302
or facility's custody shall be submitted through the process 303
established by the registrar. The registrar shall establish the 304
process for submission of such applications and the process for 305
mailing the identification card to either the individual or the 306
applicable department, organization, or facility. 307

(C) In addition to any other information it contains, the
form furnished by the registrar of motor vehicles for an
application for an identification card or duplicate shall inform
applicants that the applicant must present a copy of the
applicant's DD-214 or an equivalent document in order to qualify
to have the card or duplicate indicate that the applicant is an
honorably discharged veteran of the armed forces of the United
States based on a request made pursuant to division (A) (2) (b) of
this section.

Sec. 4507.52. (A) (1) Each identification card issued by
the registrar of motor vehicles or a deputy registrar shall
display a distinguishing number assigned to the cardholder, and
shall display the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

This card is not valid for the purpose of operating a
motor vehicle. It is provided solely for the purpose of
establishing the identity of the bearer described on the card."

(2) The identification card shall display substantially
the same information as contained in the application and as
described in division (A) (1) of section 4507.51 of the Revised
Code, including, if the cardholder is a noncitizen of the United
States, a notation designating that the cardholder is a
noncitizen. The identification card shall not display the
cardholder's social security number unless the cardholder
specifically requests that the cardholder's social security
number be displayed on the card. If federal law requires the
cardholder's social security number to be displayed on the
identification card, the social security number shall be
displayed on the card notwithstanding this section.

(3) The identification card also shall display the 337
photograph of the cardholder. 338

(4) If the cardholder has executed a durable power of 339
attorney for health care or a declaration governing the use or 340
continuation, or the withholding or withdrawal, of life- 341
sustaining treatment and has specified that the cardholder 342
wishes the identification card to indicate that the cardholder 343
has executed either type of instrument, the card also shall 344
display any symbol chosen by the registrar to indicate that the 345
cardholder has executed either type of instrument. 346

(5) If the cardholder has specified that the cardholder 347
wishes the identification card to indicate that the cardholder 348
is a veteran, active duty, or reservist of the armed forces of 349
the United States and has presented a copy of the cardholder's 350
DD-214 form or an equivalent document, the card also shall 351
display any symbol chosen by the registrar to indicate that the 352
cardholder is a veteran, active duty, or reservist of the armed 353
forces of the United States. 354

(6) The card shall be designed as to prevent its 355
reproduction or alteration without ready detection. 356

(7) The identification card for persons under twenty-one 357
years of age shall have characteristics prescribed by the 358
registrar distinguishing it from that issued to a person who is 359
twenty-one years of age or older, except that an identification 360
card issued to a person who applies no more than thirty days 361
before the applicant's twenty-first birthday shall have the 362
characteristics of an identification card issued to a person who 363
is twenty-one years of age or older. 364

(8) Every identification card issued to a resident of this 365

state shall display the expiration date of the card, in 366
accordance with section 4507.501 of the Revised Code. 367

(9) Every identification card issued to a temporary 368
resident shall expire in accordance with section 4507.501 of the 369
Revised Code and rules adopted by the registrar and is limited 370
term. Every limited term identification card and limited term 371
temporary identification card shall contain the words "limited 372
term" and shall have any additional characteristics prescribed 373
by the registrar distinguishing it from an identification card 374
issued to a resident. 375

(B) (1) If a card is lost, destroyed, or mutilated, the 376
person to whom the card was issued may obtain a duplicate by 377
doing both of the following: 378

(a) Furnishing suitable proof of the loss, destruction, or 379
mutilation to the registrar or a deputy registrar; 380

(b) Filing an application and presenting documentary 381
evidence under section 4507.51 of the Revised Code. 382

(2) A cardholder may apply to obtain a reprint of the 383
cardholder's identification card through electronic means in 384
accordance with section 4507.40 of the Revised Code. 385

(3) A cardholder may obtain a replacement identification 386
card that reflects any change of the cardholder's name by 387
furnishing suitable proof of the change to the registrar or a 388
deputy registrar. 389

(4) Except as provided in division (B) (5) or (6) of this 390
section, when a cardholder applies for a duplicate, reprint, or 391
replacement identification card, the cardholder shall pay the 392
following fees: 393

(a) Two dollars and fifty cents; 394

(b) A deputy registrar or service fee equal to the amount 395
established under section 4503.038 of the Revised Code. 396

(5) The following cardholders may apply for a duplicate, 397
reprint, or replacement identification card without payment of 398
any fee prescribed in division (B) (4) of this section: 399

(a) A disabled veteran who has a service-connected 400
disability rated at one hundred per cent by the veterans' 401
administration; 402

(b) A resident who is permanently or irreversibly 403
disabled; 404

(c) A resident who is in the custody of the department of 405
rehabilitation and correction~~or~~, the department of youth 406
services, a halfway house organization, a community-based 407
correctional facility and program, or a district community-based 408
correctional facility and program. 409

(6) A cardholder who is seventeen years of age or older 410
may apply for a replacement identification card without payment 411
of any fee prescribed in division (B) (4) of this section. 412

(7) A duplicate, reprint, or replacement identification 413
card expires on the same date as the card it replaces. 414

(C) The registrar shall cancel any card upon determining 415
that the card was obtained unlawfully, issued in error, or was 416
altered. 417

(D) (1) No agent of the state or its political subdivisions 418
shall condition the granting of any benefit, service, right, or 419
privilege upon the possession by any person of an identification 420
card. Nothing in this section shall preclude any publicly 421

operated or franchised transit system from using an 422
identification card for the purpose of granting benefits or 423
services of the system. 424

(2) No person shall be required to apply for, carry, or 425
possess an identification card. 426

(E) Except in regard to an identification card issued to a 427
person who applies no more than thirty days before the 428
applicant's twenty-first birthday, neither the registrar nor any 429
deputy registrar shall issue an identification card to a person 430
under twenty-one years of age that does not have the 431
characteristics prescribed by the registrar distinguishing it 432
from the identification card issued to persons who are twenty- 433
one years of age or older. 434

(F) The registrar shall ensure that identification cards 435
issued in accordance with the federal "Real ID Act," 49 U.S.C. 436
30301, et seq., comply with the regulations specified in 6 437
C.F.R. part 37. 438

(G) Whoever violates division (E) of this section is 439
guilty of a minor misdemeanor. 440

Sec. 5120.102. As used in sections 5120.102 to ~~5120.105~~ 441
5120.106 of the Revised Code: 442

(A) "Private, nonprofit organization" means a private 443
association, organization, corporation, or other entity that is 444
exempt from federal income taxation under section 501(a) and is 445
described in section 501(c) of the "Internal Revenue Code of 446
1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended. 447

(B) "Governmental agency" means a state agency; a 448
municipal corporation, county, township, other political 449
subdivision or special district in this state established by or 450

pursuant to law, or a combination of those political 451
subdivisions or special districts; the United States or a 452
department, division, or agency of the United States; or an 453
agency, commission, or authority established pursuant to an 454
interstate compact or agreement. 455

(C) "State agency" means the state or one of its branches, 456
offices, boards, commissions, authorities, departments, 457
divisions, or other units or agencies of the state. 458

(D) "Halfway house organization" means a private, 459
nonprofit organization or a governmental agency that provides 460
programs or activities in areas directly concerned with housing 461
and monitoring offenders who are under the community supervision 462
of the department of rehabilitation and correction or whom a 463
court places in a halfway house pursuant to section 2929.16 or 464
2929.26 of the Revised Code. 465

(E) "Halfway house facility" means a capital facility in 466
this state to which all of the following apply: 467

(1) The construction of the capital facility is authorized 468
or funded by the general assembly pursuant to division (C) of 469
section 5120.105 of the Revised Code. 470

(2) The state owns or has a sufficient real property 471
interest in the capital facility or in the site of the capital 472
facility for a period of not less than the greater of the useful 473
life of the capital facility, as determined by the director of 474
budget and management using the guidelines for maximum 475
maturities as provided under divisions (B), (C), and (E) of 476
section 133.20 of the Revised Code and certified to the 477
department of rehabilitation and correction and the treasurer of 478
state, or the final maturity of obligations issued by the 479

treasurer of state to finance the capital facility. 480

(3) The capital facility is managed directly by, or by 481
contract with, the department of rehabilitation and correction 482
and is used for housing offenders who are under the community 483
supervision of the department of rehabilitation and correction 484
or whom a court places in a halfway house pursuant to section 485
2929.16 or 2929.26 of the Revised Code. 486

(F) "Construction" includes acquisition, demolition, 487
reconstruction, alteration, renovation, remodeling, enlargement, 488
improvement, site improvements, and related equipping and 489
furnishing. 490

(G) "General building services" means general building 491
services for a halfway house facility that include, but are not 492
limited to, general custodial care, security, maintenance, 493
repair, painting, decoration, cleaning, utilities, fire safety, 494
grounds and site maintenance and upkeep, and plumbing. 495

(H) "Manage," "operate," or "management" means the 496
provision of, or the exercise of control over the provision of, 497
activities that relate to the housing of offenders in 498
correctional facilities, including, but not limited to, 499
providing for release services for offenders who are under the 500
community supervision of the department of rehabilitation and 501
correction or are placed by a court in a halfway house pursuant 502
to section 2929.16 or 2929.26 of the Revised Code, and who 503
reside in halfway house facilities. 504

Sec. 5120.106. (A) Within a reasonable time prior to an 505
offender who is residing within a halfway house managed by a 506
halfway house organization successfully completing the 507
programming at that halfway house, the halfway house 508

organization shall attempt to verify the offender's age and 509
identity in order to satisfy the requirements of section 4507.51 510
of the Revised Code. 511

(B) The halfway house organization shall provide each 512
offender who does not have a current valid and unexpired state 513
issued identification card or driver's license with the 514
application described in section 4507.51 of the Revised Code. 515
The halfway house organization shall submit any completed 516
application, along with a color photograph of the offender and 517
documentary evidence of the offender's age and identity, to the 518
registrar of motor vehicles in accordance with the process 519
established by the registrar under sections 4507.50 and 4507.51 520
of the Revised Code. 521

Section 2. That existing sections 4507.01, 4507.50, 522
4507.51, 4507.52, and 5120.102 of the Revised Code are hereby 523
repealed. 524