

**As Re-Referred by the House Rules and Reference Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 396**

**Representative Willis**

**Cosponsor: Representative Bird**

---

To amend sections 111.41, 111.42, and 111.99 of the  
Revised Code to expand the Address  
Confidentiality Program.

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

**Section 1.** That sections 111.41, 111.42, and 111.99 of the  
Revised Code be amended to read as follows:

**Sec. 111.41.** As used in sections 111.41 to 111.99 of the  
Revised Code:

(A) "Application assistant" means an employee or volunteer  
at an agency or organization that serves victims or household  
members of victims of domestic violence, menacing by stalking,  
human trafficking, trafficking in persons, rape, ~~or~~ sexual  
battery, crimes that cause serious physical harm or death, or  
crimes in which the victim is threatened with a deadly weapon  
who has received training and certification from the secretary  
of state to help individuals complete applications to be program  
participants.

(B) "Confidential address" means the address of a program  
participant's residence, school, institution of higher  
education, business, or place of employment, as specified on an

application to be a program participant or on a notice of change 20  
of address filed under section 111.42 of the Revised Code. A 21  
confidential address is not a public record under section 149.43 22  
of the Revised Code, and shall be kept confidential. 23

(C) "Governmental entity" means the state, a political 24  
subdivision of the state, or any department, agency, board, 25  
commission, or other instrumentality of the state or a political 26  
subdivision of the state. 27

(D) "Guardian," "incompetent," "parent," and "ward" have 28  
the same meanings as in section 2111.01 of the Revised Code. 29

(E) "Human trafficking" has the same meaning as in section 30  
2929.01 of the Revised Code. 31

(F) "Process" means judicial process and all orders, 32  
demands, notices, or other papers required or permitted by law 33  
to be served on a program participant. 34

(G) "Program participant" means a person who is certified 35  
by the secretary of state as a program participant under section 36  
111.42 of the Revised Code. 37

(H) "Tier I sex offender/child-victim offender," "tier II 38  
sex offender/child-victim offender," and "tier III sex 39  
offender/child-victim offender" have the same meanings as in 40  
section 2950.01 of the Revised Code. 41

**Sec. 111.42.** (A) A person to whom all of the following 42  
applies may apply to the secretary of state with the assistance 43  
of an application assistant to become a participant in the 44  
address confidentiality program, in which an address designated 45  
by the secretary of state serves as the person's address or the 46  
address of the minor, incompetent, or ward on whose behalf the 47  
person is applying: 48

(1) The applicant is an adult who is applying on behalf of 49  
the person's self or is a parent or guardian applying on behalf 50  
of a minor, incompetent, or ward. 51

(2) The applicant or the minor, incompetent, or ward, as 52  
applicable, resides, works, or attends a school or an 53  
institution of higher education in this state. 54

(3) The applicant fears for the safety of the applicant, a 55  
member of the applicant's household, or the minor, incompetent, 56  
or ward on whose behalf the application is made because the 57  
applicant, household member, minor, incompetent, or ward is a 58  
victim of domestic violence, menacing by stalking, human 59  
trafficking, trafficking in persons, rape, ~~or~~ sexual battery, a 60  
crime that caused serious physical harm or death to the victim, 61  
or a crime in which the victim was threatened with a deadly 62  
weapon. 63

(4) The applicant or the minor, incompetent, or ward, as 64  
applicable, is not a tier I sex offender/child-victim offender, 65  
a tier II sex offender/child-victim offender, or a tier III sex 66  
offender/child-victim offender. 67

(B) An application to become a participant in the address 68  
confidentiality program shall be made on a form prescribed by 69  
the secretary of state and filed in the office of the secretary 70  
of state in the manner prescribed by the secretary of state. The 71  
application shall contain all of the following: 72

(1) A notarized statement by the applicant that the 73  
applicant fears for the safety of the applicant, a member of the 74  
applicant's household, or the minor, incompetent, or ward on 75  
whose behalf the application is made because the applicant, 76  
household member, minor, incompetent, or ward is a victim of 77

domestic violence, menacing by stalking, human trafficking, 78  
trafficking in persons, rape, ~~or~~ sexual battery, a crime that 79  
caused serious physical harm or death to the victim, or a crime 80  
in which the victim was threatened with a deadly weapon; 81

(2) A statement that the application assistant recommends 82  
that the applicant or the minor, incompetent, or ward, as 83  
applicable, participate in the address confidentiality program; 84

(3) A knowing and voluntary designation of the secretary 85  
of state as the agent for the purposes of receiving service of 86  
process and the receipt of mail; 87

(4) The mailing address and telephone number or numbers at 88  
which the secretary of state may contact the applicant; 89

(5) The address or addresses of the applicant's residence, 90  
school, institution of higher education, business, or place of 91  
employment that the applicant requests not be disclosed for the 92  
reason that disclosure will increase the risk that the 93  
applicant, a member of the applicant's household, or the minor, 94  
incompetent, or ward on whose behalf the application is made 95  
will be threatened or physically harmed by another person; 96

(6) The signature of the applicant, the name and signature 97  
of the application assistant who assisted the applicant, and the 98  
date on which the applicant and the application assistant signed 99  
the application; 100

(7) Except for a claim based on the performance or 101  
nonperformance of a public duty that was manifestly outside the 102  
scope of the officer's or employee's office or employment or in 103  
which the officer or employee acted with malicious purpose, in 104  
bad faith, or in a wanton or reckless manner, a voluntary 105  
release and waiver of all future claims against the state for 106

any claim that may arise from participation in the address confidentiality program. 107  
108

(C) Upon receiving a properly completed application under division (B) of this section, the secretary of state shall, within ten business days, do all of the following: 109  
110  
111

(1) Certify the applicant or the minor, incompetent, or ward on whose behalf the application is filed as a program participant; 112  
113  
114

(2) Designate each eligible address listed in the application as a confidential address; 115  
116

(3) Issue the program participant a unique program participant identification number; 117  
118

(4) Issue the program participant an address confidentiality program authorization card, which shall be valid during the period that the program participant remains certified to participate in the address confidentiality program, and which shall include the address at which the program participant may receive mail through the office of the secretary of state; 119  
120  
121  
122  
123  
124

(5) Provide information to the program participant concerning all of the following: 125  
126

(a) The manner in which the program participant may use the secretary of state as the program participant's agent for the purposes of receiving mail and receiving service of process and the types of mail that the secretary of state will forward to the program participant; 127  
128  
129  
130  
131

(b) The process to register to vote and to vote as a program participant, if the program participant is eligible to vote; 132  
133  
134

(c) The process to file a real property confidentiality notice with the county recorder concerning any real property in which the program participant acquires an ownership interest after being certified a program participant and after ~~the~~ effective date of this amendment April 29, 2022;

(d) The process to authorize the secretary of state to disclose confidential information concerning the program participant under certain circumstances, as described in division (E) of section 111.43 of the Revised Code.

(D) A program participant shall update the person's application information, within thirty days after any change has occurred, by submitting a notice of change to the office of the secretary of state on a form prescribed by the secretary of state. The secretary of state may, with proper notice, cancel a program participant's certification if the participant is found to be unreachable for a period of sixty days or more.

(E) The certification of a program participant shall be valid for four years after the date of the filing of the application for the program participant unless the certification is withdrawn or invalidated before the end of that four-year period.

(F) (1) A program participant who continues to be eligible to participate in the address confidentiality program may renew the program participant's certification by submitting a renewal application to the secretary of state with the assistance of an application assistant. The renewal application shall be on a form prescribed by the secretary of state and shall contain all of the information described in division (B) of this section.

(2) The secretary of state may prescribe by rule a grace

period during which a program participant whose certification 164  
has expired may renew the program participant's certification 165  
without being considered to have ceased being a program 166  
participant during that period. 167

(3) When a program participant renews the program 168  
participant's certification, the program participant shall 169  
continue to use the program participant's original program 170  
participant identification number. 171

(G) A tier I sex offender/child-victim offender, a tier II 172  
sex offender/child-victim offender, or a tier III sex 173  
offender/child-victim offender is not eligible to participate in 174  
the address confidentiality program described in sections 111.41 175  
to 111.99 of the Revised Code. 176

**Sec. 111.99.** (A) No person who submits an application 177  
under section 111.42 of the Revised Code shall knowingly make a 178  
false attestation in the application that the applicant fears 179  
for the applicant's safety, the safety of a member of the 180  
applicant's household, or the safety of the minor, incompetent, 181  
or ward on whose behalf the application is made because the 182  
applicant, household member, minor, incompetent, or ward is a 183  
victim of domestic violence, menacing by stalking, human 184  
trafficking, trafficking in persons, rape, ~~or~~ sexual battery, a 185  
crime that caused serious physical harm or death to the victim, 186  
or a crime in which the victim was threatened with a deadly 187  
weapon. 188

(B) (1) As used in division (B) of this section: 189

(a) "Public official" means any officer, employee, or duly 190  
authorized representative or agent of a public office. 191

(b) "Public office" means any state agency, public 192

institution, political subdivision, other organized body, 193  
office, agency, institution, or entity established by the laws 194  
of this state for the exercise of any function of government. 195

(2) No public official who has access to a confidential 196  
address or telephone number or to information that is subject to 197  
a real property confidentiality notice under section 111.431 of 198  
the Revised Code because of the person's status as a public 199  
official shall knowingly disclose that confidential information 200  
to any person, except as required or permitted by law. 201

(C) No person who obtains a confidential address or 202  
telephone number from the Ohio law enforcement gateway shall 203  
knowingly disclose that confidential address or telephone number 204  
to any person, except as is necessary for a law enforcement 205  
purpose when related to the performance of official duties, or 206  
for another legitimate governmental purpose. 207

(D) No person who obtains a confidential address or 208  
telephone number from the secretary of state under division (E) 209  
of section 111.43 of the Revised Code shall knowingly disclose 210  
that information to any person, except for the purpose for which 211  
the disclosure was authorized under that division. 212

(E) No person who obtains information that is subject to a 213  
real property confidentiality notice under section 111.431 of 214  
the Revised Code for the purpose of conducting a title 215  
examination under division (E) of that section shall knowingly 216  
disclose that confidential information to any person, except for 217  
the purpose identified in the application submitted under that 218  
division. 219

(F) Whoever violates this section is guilty of a 220  
misdemeanor of the first degree. 221

**Section 2.** That existing sections 111.41, 111.42, and 222  
111.99 of the Revised Code are hereby repealed. 223