As Passed by the Senate

136th General Assembly

Regular Session 2025-2026

Sub. H. B. No. 44

Representatives Miller, J., Miller, K.

Cosponsors: Representatives Abrams, Willis, Barhorst, Brennan, Brownlee, Creech, Deeter, Fischer, Ghanbari, Glassburn, Grim, Hall, D., Holmes, Jarrells, Johnson, Jones, Lampton, LaRe, Lett, Lorenz, Mathews, A., Mathews, T., Mohamed, Mullins, Newman, Plummer, Richardson, Robb Blasdel, Roemer, Russo, Salvo, Schmidt, Sigrist, Synenberg, Thomas, C., Upchurch, Williams, Young

Senators Johnson, Antonio, Blackshear, Chavez, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Ingram, Lang, Manning, O'Brien, Patton, Reineke, Roegner, Schaffer, Timken, Weinstein, Wilson

To	amend sections 109.804, 124.11, and 124.30 and	1
	to enact sections 109.791 and 737.061 of the	2
	Revised Code regarding training schools for	3
	prospective law enforcement officers, filling a	4
	vacant police department position without a	5
	competitive examination, requirements for chief	6
	of police training, and advanced training for	7
	officers at or above the rank of sergeant.	8

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

Section 1. That sections 109.804, 124.11, and 124.30 be	9
amended and sections 109.791 and 737.061 of the Revised Code be	10
enacted to read as follows:	11
Sec. 109.791. The Ohio peace officer training commission	12
may establish and conduct police officer training courses in	13
addition to those specified in section 109.79 of the Revised	14

code to be offered to a law enforcement officer at or above the	13
rank of sergeant.	16
Sec. 109.804. (A) (1) The Ohio peace officer training	17
commission shall develop and conduct provide a chief of police	18
training course lasting forty hours for newly appointed chiefs	19
of police appointed on or after January 1, 2018. The commission	20
shall determine the course topics, which shall include diversity	21
training with an emphasis on historical perspectives and	22
community-police relations, and shall establish criteria for	23
what constitutes successful completion of the course. The	24
commission shall conduct the course at the Ohio peace officer	25
training academy locations determined by the commission and in a	26
manner prescribed by the commission. The commission shall offer	27
the course at least semiannually.	28
(2) The executive director of the commission shall issue a	29
certificate of completion of a training program required under	30
this section in accordance with Chapter 4796. of the Revised	31
Code to a newly appointed chief of police if either of the	32
following applies:	33
(a) The person holds a certificate of completion of such a	34
program in another state.	35
(b) The person has satisfactory work experience, a	36
government certification, or a private certification as	37
described in that chapter as a chief of police in a state that	38
does not require completion of such a training program.	39
(B) A newly appointed chief of police may request an	40
equivalency exemption from a portion eight hours of the forty	41
hours of the chief of police training course, on topics approved	42
by the executive director, by submitting to the Ohio peace	43

officer training commission, not more than ten calendar days
following the person's appointment as a chief of police,
evidence of training or qualification in the subject area of the
exempted portiontopics.

A request for equivalency exemption by the newly appointed chief of police shall be provided to the commission not later than fourteen calendar days before the beginning of the course.

- (C) Upon presentation of evidence by a newly appointed chief of police that because of a medical disability or other good cause the newly appointed chief of police is unable to complete the chief of police training course, the Ohio peace officer training commission may defer the requirement for the newly appointed chief of police to complete the chief of police training course until the disability or cause terminates.
- (D) A newly appointed chief of police appointed on or after January 1, 2018, shall attend a chief of police training course conducted by the Ohio peace officer training commission pursuant to division (A) of this section not later than six months after the person's appointment as a chief of police.

 While attending the chief of police training course, a newly appointed chief of police shall receive compensation in the same manner and amounts as if carrying out the powers and duties of the office of chief of police. The costs of conducting the chief of police training course shall be paid from state funds appropriated to the attorney general. The cost of meals, lodging, and travel of a newly appointed chief of police attending the chief of police training course shall be paid from the budget of the entity for which the newly appointed chief of police was appointed.
 - (E) As used in this section:

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"Newly appointed chief of police" means a person appointed	74
chief of police under section 505.49, 737.05, or 737.15 of the	75
Revised Code or any administrative official that is responsible	76
for the daily administration and supervision of peace officers	77
in a law enforcement agency who did not hold the office <u>has</u>	78
<pre>never held the full-time position of chief of police on the date</pre>	79
<u>before</u> the person was appointed chief of police.	80
"Law enforcement agency" means a municipal or township	81
police department, or any other entity authorized by statute to	82
appoint peace officers to enforce criminal laws and who have the	83
statutory power of arrest. "Law enforcement agency" does not	84
include a county sheriff's office, the state highway patrol, or	85
the bureau of criminal identification and investigation.	86
Sec. 124.11. The civil service of the state and the	87
several counties, cities, civil service townships, city health	88
districts, general health districts, and city school districts	89
of the state shall be divided into the unclassified service and	90
the classified service.	91
(A) The unclassified service shall comprise the following	92
positions, which shall not be included in the classified	93
service, and which shall be exempt from all examinations	94
required by this chapter:	95
(1) All officers elected by popular vote or persons	96
appointed to fill vacancies in those offices;	97
(2) All election officers as defined in section 3501.01 of	98
the Revised Code;	99

(3) (a) The members of all boards and commissions, and

appointed by the governor or by and with the governor's consent;

heads of principal departments, boards, and commissions

(b) The heads of all departments appointed by a board of	103
county commissioners;	104
(c) The members of all boards and commissions and all	105
heads of departments appointed by the mayor, or, if there is no	106
mayor, such other similar chief appointing authority of any city	107
or city school district;	108
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Except as otherwise provided in division (A)(17) or (C) of	109
this section, this chapter does not exempt the chiefs of police	110
departments and chiefs of fire departments of cities or civil	111
service townships from the competitive classified service.	112
(4) The members of county or district licensing boards or	113
commissions and boards of revision, and not more than five	114
deputy county auditors;	115
(5) All officers and employees elected or appointed by	116
either or both branches of the general assembly, and employees	117
of the city legislative authority engaged in legislative duties;	118
(6) All commissioned, warrant, and noncommissioned	119
officers and enlisted persons in the Ohio organized militia,	120
including military appointees in the adjutant general's	121
department;	122
(7)(a) All presidents, business managers, administrative	123
officers, superintendents, assistant superintendents,	124
principals, deans, assistant deans, instructors, teachers, and	125
such employees as are engaged in educational or research duties	126
connected with the public school system, colleges, and	127
universities, as determined by the governing body of the public	128
school system, colleges, and universities;	129
(b) The library staff of any library in the state	130
supported wholly or in part at public expense.	131
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- (8) Four clerical and administrative support employees for each of the elective state officers, four clerical and administrative support employees for each board of county commissioners and one such employee for each county commissioner, and four clerical and administrative support employees for other elective officers and each of the principal appointive executive officers, boards, or commissions, except for civil service commissions, that are authorized to appoint such clerical and administrative support employees;
- (9) The deputies and assistants of state agencies authorized to act for and on behalf of the agency, or holding a fiduciary or administrative relation to that agency and those persons employed by and directly responsible to elected county officials or a county administrator and holding a fiduciary or administrative relationship to such elected county officials or county administrator, and the employees of such county officials whose fitness would be impracticable to determine by competitive examination, provided that division (A)(9) of this section shall not affect those persons in county employment in the classified service as of September 19, 1961. Nothing in division (A)(9) of this section applies to any position in a county department of job and family services created pursuant to Chapter 329. of the Revised Code.
- (10) Bailiffs, constables, official stenographers, and commissioners of courts of record, deputies of clerks of the courts of common pleas who supervise or who handle public moneys or secured documents, and such officers and employees of courts of record and such deputies of clerks of the courts of common pleas as the appointing authority finds it impracticable to determine their fitness by competitive examination;

- (11) Assistants to the attorney general, special counsel 162 appointed or employed by the attorney general, assistants to 163 county prosecuting attorneys, and assistants to city directors 164 of law; 165
- (12) Such teachers and employees in the agricultural 166 experiment stations; such students in normal schools, colleges, 167 and universities of the state who are employed by the state or a 168 political subdivision of the state in student or intern 169 classifications; and such unskilled labor positions as the 170 director of administrative services, with respect to positions 171 in the service of the state, or any municipal civil service 172 commission may find it impracticable to include in the 173 competitive classified service; provided such exemptions shall 174 be by order of the commission or the director, duly entered on 175 the record of the commission or the director with the reasons 176 for each such exemption; 177
- (13) Any physician or dentist who is a full-time employee 178 of the department of mental health and addiction services, the 179 department of developmental disabilities, or an institution 180 under the jurisdiction of either department; and physicians who 181 are in residency programs at the institutions; 182
- (14) Up to twenty positions at each institution under the 183 jurisdiction of the department of mental health and addiction 184 services or the department of developmental disabilities that 185 the department director determines to be primarily 186 administrative or managerial; and up to fifteen positions in any 187 division of either department, excluding administrative 188 assistants to the director and division chiefs, which are within 189 the immediate staff of a division chief and which the director 190 determines to be primarily and distinctively administrative and 191

managerial;	192
(15) Noncitizens of the United States employed by the	193
state, or its counties or cities, as physicians or nurses who	194
are duly licensed to practice their respective professions under	195
the laws of this state, or medical assistants, in mental or	196
chronic disease hospitals, or institutions;	197
(16) Employees of the governor's office;	198
(17) Fire chiefs and chiefs of police in civil service	199
townships appointed by boards of township trustees under section	200
505.38 or 505.49 of the Revised Code;	201
(18) Executive directors, deputy directors, and program	202
directors employed by boards of alcohol, drug addiction, and	203
mental health services under Chapter 340. of the Revised Code,	204
and secretaries of the executive directors, deputy directors,	205
and program directors;	206
(19) Superintendents, and management employees as defined	207
in section 5126.20 of the Revised Code, of county boards of	208
developmental disabilities;	209
(20) Physicians, nurses, and other employees of a county	210
hospital who are appointed pursuant to sections 339.03 and	211
339.06 of the Revised Code;	212
(21) The executive director of the state medical board,	213
who is appointed pursuant to division (B) of section 4731.05 of	214
the Revised Code;	215
(22) County directors of job and family services as	216
provided in section 329.02 of the Revised Code and	217
administrators appointed under section 329.021 of the Revised	218
Code;	219

(23) A director of economic development who is hired 220 pursuant to division (A) of section 307.07 of the Revised Code; 221 (24) Chiefs of construction and compliance, of operations 222 and maintenance, of worker protection, and of licensing and 223 certification in the division of industrial compliance in the 224 department of commerce; 225 (25) The executive director of a county transit system 226 appointed under division (A) of section 306.04 of the Revised 227 Code; 228 (26) Up to five positions at each of the administrative 229 departments listed in section 121.02 of the Revised Code and at 230 the department of taxation, department of the adjutant general, 231 department of education, Ohio board of regents, bureau of 232 workers' compensation, industrial commission, state lottery 2.33 commission, opportunities for Ohioans with disabilities agency, 234 and public utilities commission of Ohio that the head of that 235 administrative department or of that other state agency 236 determines to be involved in policy development and 237 implementation. The head of the administrative department or 238 other state agency shall set the compensation for employees in 239 these positions at a rate that is not less than the minimum 240 compensation specified in pay range 41 but not more than the 241 maximum compensation specified in pay range 47 of salary 242 schedule E-2 in section 124.152 of the Revised Code. The 243 authority to establish positions in the unclassified service 244 under division (A) (26) of this section is in addition to and 245 does not limit any other authority that an administrative 246 department or state agency has under the Revised Code to 247 establish positions, appoint employees, or set compensation. 248

(27) Employees of the department of agriculture employed

under section 901.09 of the Revised Code;	250
(28) For cities, counties, civil service townships, city	251
health districts, general health districts, and city school	252
districts, the deputies and assistants of elective or principal	253
executive officers authorized to act for and in the place of	254
their principals or holding a fiduciary relation to their	255
principals;	256
(29) Employees who receive intermittent or temporary	257
appointments under division $\frac{(B)-(C)}{(C)}$ of section 124.30 of the	258
Revised Code;	259
(30) Employees appointed to administrative staff positions	260
for which an appointing authority is given specific statutory	261
authority to set compensation;	262
(31) Employees appointed to highway patrol cadet or	263
highway patrol cadet candidate classifications;	264
(32) Employees appointed to participate in a prospective	265
law enforcement training school under section 737.061 of the	266
<pre>Revised Code;</pre>	267
(33) Employees placed in the unclassified service by	268
another section of the Revised Code.	269
(B) The classified service shall comprise all persons in	270
the employ of the state and the several counties, cities, city	271
health districts, general health districts, and city school	272
districts of the state, not specifically included in the	273
unclassified service. Upon the creation by the board of trustees	274
of a civil service township civil service commission, the	275
classified service shall also comprise, except as otherwise	276
provided in division (A)(17) or (C) of this section, all persons	277
in the employ of a civil service township police or fire	278

department having ten or more full-time paid employees. The

classified service consists of two classes, which shall be

designated as the competitive class and the unskilled labor

class.

- (1) The competitive class shall include all positions and 283 employments in the state and the counties, cities, city health 284 districts, general health districts, and city school districts 285 of the state, and, upon the creation by the board of trustees of 286 a civil service township of a township civil service commission, 287 288 all positions in a civil service township police or fire 289 department having ten or more full-time paid employees, for which it is practicable to determine the merit and fitness of 290 applicants by competitive examinations. Appointments shall be 291 made to, or employment shall be given in, all positions in the 292 competitive class that are not filled by promotion, 293 reinstatement, transfer, or reduction, as provided in this 294 chapter, and the rules of the director of administrative 295 services, by appointment from those certified to the appointing 296 officer in accordance with this chapter. 297
- (2) The unskilled labor class shall include ordinary 298 unskilled laborers. Vacancies in the labor class for positions 299 in service of the state shall be filled by appointment from 300 lists of applicants registered by the director or the director's 301 designee. Vacancies in the labor class for all other positions 302 303 shall be filled by appointment from lists of applicants registered by a commission. The director or the commission, as 304 applicable, by rule, shall require an applicant for registration 305 in the labor class to furnish evidence or take tests as the 306 director or commission considers proper with respect to age, 307 residence, physical condition, ability to labor, honesty, 308 sobriety, industry, capacity, and experience in the work or 309

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employment for which application is made. Laborers who fulfill	310
the requirements shall be placed on the eligible list for the	311
kind of labor or employment sought, and preference shall be	312
given in employment in accordance with the rating received from	313
that evidence or in those tests. Upon the request of an	314
appointing officer, stating the kind of labor needed, the pay	315
and probable length of employment, and the number to be	316
employed, the director or commission, as applicable, shall	317
certify from the highest on the list double the number to be	318
employed; from this number, the appointing officer shall appoint	319
the number actually needed for the particular work. If more than	320
one applicant receives the same rating, priority in time of	321
application shall determine the order in which their names shall	322
be certified for appointment.	323

- (C) A municipal or civil service township civil service commission may place volunteer firefighters who are paid on a fee-for-service basis in either the classified or the unclassified civil service.
- (D) (1) This division does not apply to persons in the 328 unclassified service who have the right to resume positions in 329 the classified service under sections 4121.121, 5119.18, 330 5120.38, 5120.381, 5120.382, 5123.08, and 5139.02 of the Revised 331 Code or to cities, counties, or political subdivisions of the 332 state.
- (2) A person who holds a position in the classified 334 service of the state and who is appointed to a position in the 335 unclassified service shall retain the right to resume the 336 position and status held by the person in the classified service 337 immediately prior to the person's appointment to the position in 338 the unclassified service, regardless of the number of positions 339

the person held in the unclassified service. An employee's right	340
to resume a position in the classified service may only be	341
exercised when an appointing authority demotes the employee to a	342
pay range lower than the employee's current pay range or revokes	343
the employee's appointment to the unclassified service and any	344
of the following apply:	345
(a) That person held a certified position prior to July 1,	346
2007, in the classified service within the appointing	347
authority's agency;	348
(b) That person held a permanent position on or after July	349
1, 2007, in the classified service within the appointing	350
authority's agency, and was appointed to the position in the	351
unclassified service prior to January 1, 2016;	352
(c) That person held a permanent position on or after	353
January 1, 2016, in the classified service within the appointing	354
authority's agency, and is within five years from the effective	355
date of the person's appointment in the unclassified service.	356
(3) An employee forfeits the right to resume a position in	357
the classified service when:	358
(a) The employee is removed from the position in the	359
unclassified service due to incompetence, inefficiency,	360
dishonesty, drunkenness, immoral conduct, insubordination,	361
discourteous treatment of the public, neglect of duty, violation	362
of this chapter or the rules of the director of administrative	363
services, any other failure of good behavior, any other acts of	364
misfeasance, malfeasance, or nonfeasance in office, or	365
conviction of a felony while employed in the civil service; or	366
(b) Upon transfer to a different agency.	367

(4) Reinstatement to a position in the classified service

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shall be to a position substantially equal to that position in	369
the classified service held previously, as certified by the	370
director of administrative services. If the position the person	371
previously held in the classified service has been placed in the	372
unclassified service or is otherwise unavailable, the person	373
shall be appointed to a position in the classified service	374
within the appointing authority's agency that the director of	375
administrative services certifies is comparable in compensation	376
to the position the person previously held in the classified	377
service. Service in the position in the unclassified service	378
shall be counted as service in the position in the classified	379
service held by the person immediately prior to the person's	380
appointment to the position in the unclassified service. When a	381
person is reinstated to a position in the classified service as	382
provided in this division, the person is entitled to all rights,	383
status, and benefits accruing to the position in the classified	384
service during the person's time of service in the position in	385
the unclassified service.	386

Sec. 124.30. (A) Classified positions in the civil service may be filled without competition as follows:

(1) Whenever there are urgent reasons for filling a
vacancy in any position in the classified civil service and the
director of administrative services is unable to certify to the
appointing authority, upon its request, a list of persons
eligible for appointment to the position after a competitive
examination, the appointing authority may fill the position by
noncompetitive examination.

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A temporary appointment may be made without regard to the rules of sections 124.01 to 124.64 of the Revised Code. Except as otherwise provided in this division, the temporary

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appointment may not continue longer than one hundred twenty	399
days, and in no case shall successive temporary appointments be	400
made. A temporary appointment longer than one hundred twenty	401
days may be made if necessary by reason of sickness, disability,	402
or other approved leave of absence of regular officers or	403
employees, in which case it may continue during the period of	404
sickness, disability, or other approved leave of absence,	405
subject to the rules of the director.	406

- (2) In case of a vacancy in a position in the classified 407 civil service where peculiar and exceptional qualifications of a 408 scientific, managerial, professional, or educational character 409 are required, and upon satisfactory evidence that for specified 410 reasons competition in this special case is impracticable and 411 that the position can best be filled by a selection of some 412 designated person of high and recognized attainments in those 413 qualities, the director may suspend the provisions of sections 414 124.01 to 124.64 of the Revised Code that require competition in 415 this special case, but no suspension shall be general in its 416 application. All such cases of suspension shall be reported in 417 the annual report of the director with the reasons for each 418 suspension. The director shall suspend the provisions when 419 either of the following applies: 420
- (a) The director of job and family services provides the certification under section 5101.051 of the Revised Code that a position with the department of job and family services can best be filled if the provisions are suspended;
- (b) The medicaid director provides the certification under 425 section 5160.051 of the Revised Code that a position with the 426 department of medicaid can best be filled if the provisions are 427 suspended. 428

(3) Except as provided in division (D) of this section, in	429
case of a vacancy in a position in the classified civil service	430
in a police department, on satisfactory evidence that for	431
specified reasons competition in this special case is	432
impracticable and that the position can best be filled by a	433
selection of some designated person holding a specialized	434
certification, possessing peculiar and exceptional	435
qualifications, or having completed a police cadet training	436
program through the police department, the director of	437
administrative services may suspend the provisions of sections	438
124.01 to 124.64 of the Revised Code that require competition in	439
this special case, but no suspension shall be general in its	440
application.	441
(B) The acceptance or refusal by an eligible person of a	442
temporary appointment under division (A)(1) of this section	443
shall not affect the person's standing on the eligible list for	444
permanent appointment, nor shall the period of temporary service	445
be counted as a part of the probationary service in case of	446
subsequent appointment to a permanent position.	447
(B) (C) Persons who receive temporary or intermittent	448
appointments under division (A)(1) of this section are in the	449
unclassified civil service and serve at the pleasure of their	450
appointing authority.	451
(D) Division (A)(3) of this section does not apply to a	452
vacancy in a position in the classified civil service in a	453
police department that must be filled by promotion as prescribed	454
in section 124.44 of the Revised Code.	455
Sec. 737.061. (A) The chief of police of a municipal	456
corporation may conduct training schools for prospective law	457
enforcement officers. The training school programs shall align	458

Section 2. That existing sections 109.804, 124.11, and

124.30 of the Revised Code are hereby repealed.

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