

I\_136\_0307-2

**136th General Assembly**  
**Regular Session**  
**2025-2026**

**Sub. H. B. No. 59**

---

To amend sections 101.63, 103.27, 1531.40, 1533.631, 1533.72, 1533.721, 1561.13, 1561.17, 1565.04, 3319.2213, 3319.51, 3701.83, 3704.14, 3723.02, 3723.03, 3723.04, 3723.05, 3723.06, 3723.07, 3723.08, 3723.09, 3723.10, 3723.11, 3723.13, 3723.15, 3723.16, 3723.17, 3723.99, 3742.03, 3742.05, 3748.01, 3748.04, 3748.05, 3748.11, 3748.13, 3748.16, 3773.31, 3773.35, 3773.36, 3773.43, 3773.45, 3773.54, 3776.05, 4730.10, 4730.14, 4731.09, 4731.281, 4731.294, 4731.297, 4731.52, 4759.08, 4764.05, 4764.08, 4771.05, 4771.07, 4771.08, 4774.03, 4774.06, and 4774.11; to enact section 3773.341; and to repeal sections 3723.081, 3748.12, and 3748.121 of the Revised Code to revise and streamline the state's occupational regulations.

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

**Section 1.** That sections 101.63, 103.27, 1531.40, 1533.631, 1533.72, 1533.721, 1561.13, 1561.17, 1565.04, 3319.2213, 3319.51, 3701.83, 3704.14, 3723.02, 3723.03, 3723.04,



xwm9xhuhulla38mnr16qbp

3723.05, 3723.06, 3723.07, 3723.08, 3723.09, 3723.10, 3723.11, 20  
3723.13, 3723.15, 3723.16, 3723.17, 3723.99, 3742.03, 3742.05, 21  
3748.01, 3748.04, 3748.05, 3748.11, 3748.13, 3748.16, 3773.31, 22  
3773.35, 3773.36, 3773.43, 3773.45, 3773.54, 3776.05, 4730.10, 23  
4730.14, 4731.09, 4731.281, 4731.294, 4731.297, 4731.52, 24  
4759.08, 4764.05, 4764.08, 4771.05, 4771.07, 4771.08, 4774.03, 25  
4774.06, and 4774.11 be amended and section 3773.341 of the 26  
Revised Code be enacted to read as follows: 27

**Sec. 101.63.** (A) (1) Not later than the first day of March 28  
in the odd-numbered year during which an occupational licensing 29  
board is scheduled to be triggered to expire the following even- 30  
numbered year under section 101.62 of the Revised Code, the 31  
speaker of the house of representatives shall direct a standing 32  
committee of the house of representatives to hold hearings to 33  
receive the testimony of the public and of the chief executive 34  
officer of the board, and otherwise to review, consider, and 35  
evaluate the usefulness, performance, and effectiveness of the 36  
board. Not later than the fifteenth day of November of that same 37  
odd-numbered year, the standing committee shall prepare and 38  
publish a report of its findings and recommendations in 39  
accordance with section 101.65 of the Revised Code. If the 40  
standing committee's report includes a bill, the house of 41  
representatives shall consider that bill for passage by the 42  
thirty-first day of December of that same odd-numbered year. 43

(2) Not later than the first day of March in the even- 44  
numbered year during which an occupational licensing board is 45  
scheduled to be triggered to expire under section 101.62 of the 46  
Revised Code, the president of the senate shall direct a 47  
standing committee of the senate to hold hearings to receive 48  
testimony of the public and of the chief executive officer of 49  
the board, and otherwise to review, consider, and evaluate the 50

usefulness, performance, and effectiveness of the board and any 51  
bill considered by the house of representatives related to the 52  
expiration of that board. Not later than the fifteenth day of 53  
November of that same even-numbered year, the standing committee 54  
shall prepare and publish a report of its findings and 55  
recommendations in accordance with section 101.65 of the Revised 56  
Code. If the standing committee's report includes a bill, the 57  
senate shall consider that bill for passage by the thirty-first 58  
day of December of that same even-numbered year. 59

(3) The president of the senate and the speaker of the 60  
house of representatives may, in the same manner as described in 61  
divisions (A) (1) and (2) of this section, direct a standing 62  
committee to review an occupational licensing board for which 63  
the director of the legislative service commission, under 64  
section 103.27 of the Revised Code, has performed a review. 65

(4) The president of the senate and the speaker of the 66  
house of representatives shall direct standing committees to 67  
review approximately thirty-three per cent of the occupational 68  
licensing boards each biennium. All occupational licensing 69  
boards shall be reviewed over a six-year period including 70  
calendar years 2019 through 2024, and also during each 71  
subsequent six-year period. 72

(B) Each occupational licensing board that is scheduled to 73  
be reviewed by a standing committee shall submit to the standing 74  
committee a report that contains all of the following 75  
information: 76

(1) The board's primary purpose and its various goals and 77  
objectives; 78

(2) The board's past and anticipated workload, the number 79

of staff required to complete that workload, and the board's 80  
total number of staff; 81

(3) The board's past and anticipated budgets and its 82  
sources of funding; 83

(4) The number of members of its governing board or other 84  
governing entity and their compensation, if any, and any 85  
experience or other requirements an individual must meet to 86  
serve as a member of the governing board or entity. 87

(C) Each board shall have the burden of demonstrating to 88  
the standing committee a public need for its continued 89  
existence. In determining whether a board has demonstrated that 90  
need, the standing committee shall consider, as relevant, all of 91  
the following: 92

(1) Whether or not continuation of the board is necessary 93  
to protect the health, safety, or welfare of the public, and if 94  
so, whether or not the board's authority is narrowly tailored to 95  
protect against present, recognizable, and significant harms to 96  
the health, safety, or welfare of the public; 97

(2) Whether or not the public could be protected or served 98  
in an alternate or less restrictive manner; 99

(3) Whether or not the board serves a specific private 100  
interest; 101

(4) Whether or not rules adopted by the board are 102  
consistent with the legislative mandate of the board as 103  
expressed in the statutes that created and empowered the board; 104

(5) The extent to which the board's jurisdiction and 105  
programs overlap or duplicate those of other boards, the extent 106  
to which the board coordinates with those other boards, and the 107

extent to which the board's programs could be consolidated with 108  
the programs of other state departments or boards; 109

(6) How many other states regulate the occupation, whether 110  
a license is required to engage in the occupation in other 111  
states, whether the initial licensing and license renewal 112  
requirements for the occupation are substantially equivalent in 113  
every state, and the amount of regulation exercised by the board 114  
compared to the regulation, if any, in other states; 115

(7) The extent to which significant changes in the board's 116  
rules could prevent an individual licensed in this state from 117  
practicing, or allow an individual licensed in this state to 118  
practice, the same occupation in another jurisdiction without 119  
obtaining an occupational license for that occupation in that 120  
other jurisdiction; 121

(8) Whether the board recognizes national uniform 122  
licensure requirements for the occupation; 123

(9) Whether or not private contractors could be used, in 124  
an effective and efficient manner, either to assist the board in 125  
the performance of its duties or to perform these duties instead 126  
of the board; 127

(10) Whether or not the operation of the board has 128  
inhibited economic growth, reduced efficiency, or increased the 129  
cost of government; 130

(11) An assessment of the authority of the board regarding 131  
fees, inspections, enforcement, and penalties; 132

(12) The extent to which the board has permitted qualified 133  
applicants to serve the public; 134

(13) The extent to which the board has permitted 135

individuals to practice elements of the occupation without a 136  
license; 137

(14) The cost-effectiveness of the board in terms of 138  
number of employees, services rendered, and administrative costs 139  
incurred, both past and present; 140

(15) Whether or not the board's operation has been impeded 141  
or enhanced by existing statutes and procedures and by 142  
budgetary, resource, and personnel practices; 143

(16) Whether the board has recommended statutory changes 144  
to the general assembly that would benefit the public as opposed 145  
to the persons regulated by the board, if any, and whether its 146  
recommendations and other policies have been adopted and 147  
implemented; 148

(17) Whether the board has required any persons it 149  
regulates to report to it the impact of board rules and 150  
decisions on the public as they affect service costs and service 151  
delivery; 152

(18) Whether persons regulated by the board, if any, have 153  
been required to assess problems in their business operations 154  
that affect the public; 155

(19) Whether the board has encouraged public participation 156  
in its rule-making and decision-making; 157

(20) The efficiency with which formal public complaints 158  
filed with the board have been processed to completion; 159

(21) Whether the purpose for which the board was created 160  
has been fulfilled, has changed, or no longer exists; 161

(22) Whether federal law requires that the board be 162  
renewed in some form; 163

(23) An assessment of the administrative hearing process 164  
of a board if the board has an administrative hearing process, 165  
and whether or not the hearing process is consistent with due 166  
process rights; 167

(24) Whether the requirement for the occupational license 168  
is consistent with the policies expressed in section 4798.02 of 169  
the Revised Code, serves a meaningful, defined public interest, 170  
and provides the least restrictive form of regulation that 171  
adequately protects the public interest; 172

(25) The extent to which licensing ensures that 173  
practitioners have occupational skill sets or competencies that 174  
are substantially related to protecting consumers from present, 175  
significant, and substantiated harms that threaten public 176  
health, safety, or welfare, and the impact that those criteria 177  
have on applicants for a license, particularly those with 178  
moderate or low incomes, seeking to enter the occupation or 179  
profession; 180

(26) The extent to which the requirement for the 181  
occupational license stimulates or restricts competition, 182  
affects consumer choice, and affects the cost of services; 183

(27) An assessment of whether or not changes are needed in 184  
the enabling laws of the board in order for it to comply with 185  
the criteria suggested by the considerations listed in division 186  
(C) of this section; 187

(28) Beginning with reviews commencing on or after January 188  
1, 2027, whether the number of board members is appropriate 189  
based on the board's workload and the number of occupational 190  
licenses issued by the board. 191

For division (C) of this section, a government regulatory 192

requirement protects or serves the public interest if it 193  
provides protection from present, significant, and substantiated 194  
harms to the health, safety, or welfare of the public. 195

(D) The legislative service commission shall provide staff 196  
services to a standing committee performing its duties under 197  
this section and section 101.65 of the Revised Code. 198

(E) Notwithstanding any provision of this section to the 199  
contrary, a standing committee tasked with the review of 200  
occupational licensing boards under this section may accept the 201  
report issued by the legislative service commission pursuant to 202  
section 103.27 of the Revised Code in the immediately preceding 203  
biennium in lieu of either of the following: 204

(1) Receiving testimony from the chief executive officer 205  
of the board in accordance with division (A) of this section; 206

(2) Requiring an occupational licensing board that is 207  
scheduled to be reviewed by a standing committee to submit to 208  
the standing committee a report in accordance with division (B) 209  
of this section. 210

**Sec. 103.27.** (A) As used in this section, "personal 211  
qualification" has the same meaning as in section 101.62 of the 212  
Revised Code. 213

(B) Each biennium starting with an odd-numbered year, 214  
beginning in 2019, the director of the legislative service 215  
commission shall issue a report regarding approximately thirty- 216  
three per cent of occupations subject to regulation by the state 217  
and, beginning with the biennium that starts in 2025, business 218  
licenses that require the applicant to satisfy a personal 219  
qualification. The report shall compare the current regulatory 220  
scheme being utilized in this state with the policies expressed 221

in section 4798.02 of the Revised Code and, beginning with the 222  
biennium that starts in 2027, reflect the factors that the 223  
standing committees of the general assembly must consider under 224  
divisions (B) and (C) of section 101.63 of the Revised Code. 225

(C) The director shall issue all reports performed during 226  
a biennium, not later than the first day of December of the 227  
even-numbered year of that biennium, to the general assembly and 228  
to the attorney general. 229

(D) The director may require that information be submitted 230  
by any department or board that regulates the occupation. 231

(E) Beginning with the biennium that starts in 2027, the 232  
director shall require that any department or board that 233  
regulates the occupation provide the following information to be 234  
included in the report: 235

(1) Quantitative data on the following information, if 236  
applicable, for the period since the occupation was last 237  
reported on by the director: 238

(a) The number of applicants; 239

(b) Application approvals and denials; 240

(c) New approvals; 241

(d) Renewals, including approval of applicants who 242  
previously had approval to practice the occupation; 243

(e) Data regarding discipline; 244

(f) Revenue and costs; 245

(g) Changes in revenue and costs since the occupation was 246  
last reported on by the director; 247

(h) Changes in caseload since the occupation was last 248

included in the report issued by the director. 249

(2) An impact statement, including studies or data points, 250  
on any changes made to the occupation by the general assembly 251  
during the period since the occupation was last reported on by 252  
the director. The impact statement shall detail the impact of 253  
such a change on the board or department, the regulated 254  
occupation, and the public. 255

(3) Additional documentation to support any response made 256  
to the director for inclusion in the report that is quantitative 257  
in nature, including responses related to fee structure and 258  
expenses of the department or board. 259

~~(E)~~ (F) The director shall, over a six-year period 260  
including calendar years 2019 through 2024, issue reports 261  
regarding all occupations subject to regulation by the state. 262  
Beginning with the biennium that starts in 2025, the director 263  
shall continue to issue reports regarding all occupations 264  
subject to regulation by the state, including business licenses 265  
that require the applicant to satisfy a personal qualification. 266

~~(F)~~ (G) A report required under division (B) of this 267  
section may be scheduled to coincide with, and be done in 268  
conjunction with, the review of an occupational licensing board 269  
being done by a standing committee of the general assembly under 270  
section 101.63 of the Revised Code. 271

**Sec. 1531.40.** (A) As used in this section: 272

(1) "Nuisance wild animal" means a wild animal that 273  
interferes with the use or enjoyment of property, is causing a 274  
threat to public safety, or may cause damage or harm to a 275  
structure, property, or person. 276

(2) "Commercial nuisance wild animal control operator" 277

means an individual or business that provides nuisance wild 278  
animal removal or control services for hire to the owner, the 279  
operator, or the owner's or operator's authorized agent of 280  
property or a structure. 281

(B) (1) No person shall provide nuisance wild animal 282  
removal or control services for hire without obtaining a license 283  
under this section from the chief of the division of wildlife. 284

(2) An applicant shall pay a license fee of forty dollars 285  
for the license. The license shall be renewed annually prior to 286  
the first day of March and shall expire on the last day of 287  
February. All money collected under this division shall be 288  
deposited in the state treasury to the credit of the wildlife 289  
fund created in section 1531.17 of the Revised Code. 290

(3) An individual who is providing nuisance wild animal 291  
removal or control services for hire under a license issued 292  
under this section is exempt from obtaining a hunting license 293  
under section 1533.10 of the Revised Code, a fur taker permit 294  
under section 1533.111 of the Revised Code, or a fishing license 295  
under section 1533.32 of the Revised Code for the purposes of 296  
performing those services. 297

(4) An individual who is employed by the state, a county, 298  
or a municipal corporation and who performs nuisance wild animal 299  
removal or control services on land that is owned by the state, 300  
county, or municipal corporation, as applicable, as part of the 301  
individual's employment is exempt from obtaining a license under 302  
this section. 303

~~(C) (1) (C)~~ Unless otherwise specified by division rule, a 304  
commercial nuisance wild animal control operator ~~and any~~ 305  
~~individual who is employed by an operator that is engaged in~~ 306

~~activities that are part of or related to the removal or control~~ 307  
~~of nuisance wild animals, including setting or maintaining~~ 308  
~~traps,~~ shall obtain a certification of completion of a course of 309  
instruction that complies with rules adopted under division (F) 310  
of this section. A certification shall be renewed every three 311  
years. 312

~~(2) Except as provided in division (H) of this section, an~~ 313  
~~individual who provides nuisance wild animal removal or control~~ 314  
~~services under a license issued under this section shall comply~~ 315  
~~with division (C)(1) of this section.~~ 316

(D) An operator that holds a license issued under this 317  
section is responsible for the acts of each of the operator's 318  
employees in the removal or control of a nuisance wild animal. 319

(E) If an individual who is licensed under this section 320  
uses a pesticide in the removal or control of a nuisance wild 321  
animal, the individual shall obtain the appropriate license 322  
under Chapter 921. of the Revised Code. 323

(F) Except as provided in division (H) of this section, 324  
the chief shall adopt rules under section 1531.10 of the Revised 325  
Code establishing all of the following: 326

(1) Appropriate methods for trapping, capturing, removing, 327  
relocating, and controlling nuisance wild animals by operators 328  
licensed under this section; 329

(2) Procedures for issuing, denying, suspending, and 330  
revoking a license under this section; 331

(3) Requirements governing the certification course 332  
required by division ~~(C)(1)~~ (C) of this section. The rules shall 333  
specify the minimum contents of such a course, including public 334  
safety and health, animal life history, the use of nuisance wild 335

animal removal and control devices, and the laws and rules 336  
governing those activities. The rules also shall specify who may 337  
conduct such a course. The rules shall require that, in order 338  
for an operator to receive a certification of completion, the 339  
operator shall pass an examination. 340

(4) Any other requirements and procedures necessary to 341  
administer and enforce this section. 342

Rules shall be adopted under division (F) of this section 343  
only with the approval of the director of natural resources. 344

(G) In accordance with Chapter 119. of the Revised Code 345  
and with rules adopted under this section, the chief may suspend 346  
or revoke a license issued under this section if the chief finds 347  
that the holder of the license is violating or has violated this 348  
chapter, Chapter 1533. of the Revised Code, or rules adopted 349  
under those chapters. 350

(H) The chief shall issue a license to provide nuisance 351  
wild animal removal or control services in accordance with 352  
Chapter 4796. of the Revised Code to an applicant if either of 353  
the following applies: 354

(1) The applicant holds a license in another state. 355

(2) The applicant has satisfactory work experience, a 356  
government certification, or a private certification as 357  
described in that chapter as an individual who provides nuisance 358  
wild animal removal or control services in a state that does not 359  
issue that license. 360

**Sec. 1533.631.** Any person may apply for a permit to handle 361  
commercial fish, or other fish that may be bought or sold under 362  
the Revised Code or division rule, at wholesale. Prior to making 363  
application for such a permit, a person first shall satisfy the 364

following qualifications to the satisfaction of the chief of the 365  
division of wildlife: over eighteen years of age, no prior 366  
conviction of or plea of guilty on or after October 10, 2007, to 367  
a disqualifying offense as determined in accordance with section 368  
9.79 of the Revised Code, and ninety days Ohio residency 369  
immediately preceding application. The chief shall issue an 370  
annual permit granting the applicant the privilege to handle 371  
such fish at wholesale at one or more designated premises upon 372  
satisfaction of the pre-application qualifications, filing of an 373  
application on a form prescribed by the chief, and payment of a 374  
fee of ~~sixty-five~~ fifty dollars. No person or a person's agent 375  
shall handle at wholesale any fresh water fish or part thereof 376  
unless a permit has been issued for the calendar year in which 377  
the fish is handled at wholesale for the premises at which the 378  
fish is handled. 379

A fish is handled at wholesale for purposes of this 380  
section when it is on a premises within the state and is being 381  
held, stored, handled, or processed for the purpose of sale to a 382  
person who resells the fish. 383

The permit required by this section shall be issued 384  
subject to the right of entry and inspection of the designated 385  
premises of the permittee by any law enforcement officer 386  
authorized by section 1531.13 of the Revised Code to enforce the 387  
laws and rules of the division of wildlife. Such an officer may 388  
enter and inspect the designated premises and any box, package, 389  
or receptacle, and the contents thereof, for the purpose of 390  
determining whether any provision of this chapter or Chapter 391  
1531. of the Revised Code or division rule is being violated. 392

No person holding a permit under this section shall remove 393  
a label required by section 1533.301 of the Revised Code unless 394

the box, package, or receptacle bearing the label has been 395  
opened or unless the label is replaced with another label that 396  
meets the requirements of that section. 397

No person shall fail to comply with any provision of this 398  
section or division rule adopted pursuant to it. 399

**Sec. 1533.72.** (A) No person shall own or operate a 400  
commercial bird shooting preserve without a license issued by 401  
the chief of the division of wildlife under this section. 402

(B) Application for a commercial bird shooting preserve 403  
license shall be made on a form prescribed by the chief and 404  
shall be accompanied by an annual license fee of ~~two~~one hundred 405  
fifty dollars. The application shall contain a list of which 406  
species of game birds are to be released for hunting in the 407  
preserve, a description of the lands that are to constitute the 408  
preserve, a description of the tag and symbol identifying the 409  
preserve required under division (D) of section 1533.73 of the 410  
Revised Code, and any other information required by the chief. 411

(C) The chief, upon payment of the license fee, may issue 412  
to the applicant a commercial bird shooting preserve license if 413  
all of the following conditions are met: 414

(1) The operation of the commercial bird shooting preserve 415  
does not conflict with a prior reasonable public interest; 416

(2) The proposed commercial bird shooting preserve meets 417  
the requirements established in division (A) of section 1533.73 418  
of the Revised Code; 419

(3) The applicant is the owner or lessee of the land 420  
described in the application and maintains ~~his~~that status as the 421  
owner or lessee of the land until the license expires; 422

(4) The applicant produces evidence satisfactory to the 423  
chief that ~~he~~the applicant will comply with division (E) of 424  
section 1533.73 of the Revised Code. 425

(D) All licenses issued under this section shall expire on 426  
the thirtieth day of April of each year. Any license holder 427  
wishing to own or operate a commercial bird shooting preserve in 428  
the year following the expiration of ~~his~~the license shall apply 429  
for a new license under division (B) of this section. 430

(E) In accordance with Chapter 119. of the Revised Code, 431  
the chief may suspend or revoke a commercial bird shooting 432  
preserve license if ~~he~~the chief finds that the license holder 433  
has violated or is violating this chapter ~~or~~for Chapter 1531. of 434  
the Revised Code or any division rule. 435

**Sec. 1533.721.** (A) Except as otherwise provided by 436  
division rule, no person shall offer for hunting or hunt any 437  
nonnative wildlife except in a licensed wild animal hunting 438  
preserve. No person shall operate a wild animal hunting preserve 439  
without first obtaining a wild animal hunting preserve license 440  
issued by the chief of the division of wildlife under this 441  
section. 442

(B) Application for a wild animal hunting preserve license 443  
shall be made on a form prescribed by the chief and shall be 444  
accompanied by a license application fee of ~~one thousand three~~  
hundred dollars. The application shall contain a list of which 445  
species of game and nonnative wildlife are to be released for 446  
hunting in the preserve and any other information required by 447  
the chief. 448  
449

(C) The chief, upon payment of the application fee, shall 450  
issue to the applicant a wild animal hunting preserve license if 451

all of the following conditions are met: 452

(1) The operation of the wild animal hunting preserve does 453  
not conflict with a prior reasonable public interest. 454

(2) The proposed wild animal hunting preserve meets the 455  
requirements established in division (A) of section 1533.731 of 456  
the Revised Code. 457

(3) The applicant is the owner or lessee of the land 458  
described in the application and maintains that status as the 459  
owner or lessee of the land until the license expires. 460

(4) The proposed wild animal hunting preserve has been 461  
inspected by a representative of the division of wildlife to 462  
ensure that all wild deer have been removed from the proposed 463  
wild animal hunting preserve before any game or nonnative 464  
wildlife are released into the preserve. 465

(D) Prior to an inspection of a proposed wild animal 466  
hunting preserve for purposes of division (C) (4) of this 467  
section, an applicant for a wild animal hunting preserve license 468  
shall remove all wild deer from the proposed preserve using a 469  
method that is approved by the chief. All wild deer that cannot 470  
be removed from the proposed wild animal hunting preserve shall 471  
be killed, and the applicant shall submit a restitution fee in 472  
accordance with section 1531.201 of the Revised Code. 473

(E) Inspection of a proposed wild animal hunting preserve 474  
shall be conducted and approval or disapproval of an initial 475  
license for such a preserve shall be made between the first day 476  
of January through the last day of March of the year in which 477  
the applicant first intends to operate the preserve. 478

(F) Upon receipt of the initial license for a wild animal 479  
hunting preserve, receipt of a license under section 943.03 or 480

943.031 of the Revised Code, and a demonstration to the chief or 481  
the chief's designee that each captive white-tailed deer held by 482  
the licensee was legally acquired, the licensee may place all of 483  
the licensee's deer in the wild animal hunting preserve. A wild 484  
animal hunting preserve licensee holding captive white-tailed 485  
deer in the preserve shall comply with this chapter and Chapter 486  
1531. of the Revised Code, division rules, sections 943.20 to 487  
943.26 of the Revised Code, and rules adopted under section 488  
943.24 of the Revised Code. 489

(G) (1) Except as otherwise provided in division (G) (2) of 490  
this section, all licenses issued under this section shall 491  
expire on the thirtieth day of April of each year. Any license 492  
holder wishing to own or operate a wild animal hunting preserve 493  
in the year following the expiration of the license shall submit 494  
a license renewal form prescribed by the chief and include an 495  
annual renewal fee of ~~two~~one hundred fifty dollars. 496

(2) A license issued under this section for a wild animal 497  
hunting preserve in which only captive white-tailed deer are 498  
kept does not expire unless the license is revoked by the chief 499  
under division (H) (2) of this section. 500

(H) (1) Except as otherwise provided in division (H) (2) of 501  
this section, and in accordance with Chapter 119. of the Revised 502  
Code, the chief may suspend or revoke a wild animal hunting 503  
preserve license if the chief finds that the license holder has 504  
violated or is violating this chapter or Chapter 1531. of the 505  
Revised Code or any division rule. 506

(2) The chief, with the approval of the director of 507  
agriculture, may suspend or revoke a wild animal hunting 508  
preserve license issued to a person who also has been issued a 509  
valid license for that preserve under section 943.03 or 943.031 510

of the Revised Code if the person fails to comply with this 511  
chapter and Chapter 1531. of the Revised Code, division rules, 512  
sections 943.20 to 943.26 of the Revised Code, and rules adopted 513  
under section 943.24 of the Revised Code. 514

(I) This section does not authorize the hunting of game 515  
birds in a licensed wild animal hunting preserve unless the 516  
licensee also possesses a valid commercial bird shooting 517  
preserve license issued under section 1533.72 of the Revised 518  
Code for the same land for which the wild animal hunting 519  
preserve license was issued. 520

**Sec. 1561.13.** The chief of the division of mineral 521  
resources management shall conduct examinations for offices and 522  
positions in the division of mineral resources management, and 523  
for mine forepersons, mine electricians, and surface mine 524  
blasters, as follows: 525

(A) Division of mineral resources management: 526

(1) Deputy mine inspectors of underground mines; 527

(2) Deputy mine inspectors of surface mines; 528

(3) Electrical inspectors; 529

(4) Superintendent of rescue stations; 530

(5) Assistant superintendents of rescue stations; 531

(6) Mine chemists at a division laboratory if the chief 532  
chooses to operate a laboratory. 533

(B) Mine forepersons: 534

(1) Mine foreperson of gaseous mines; 535

(2) ~~Mine foreperson of nongaseous mines;~~ 536

<del>(3)</del> —Mine foreperson of surface mines.	537
(C) Forepersons:	538
(1) Foreperson of gaseous mines;	539
(2) Foreperson of nongaseous mines;	540
(3) Foreperson of surface mines.	541
(D) Mine electricians.	542
(E) Surface mine blasters.	543
The chief annually shall provide for the examination of	544
candidates for appointment or promotion as deputy mine	545
inspectors and such other positions and offices set forth in	546
division (A) of this section as are necessary. Special	547
examinations may be held whenever it becomes necessary to make	548
appointments to any of those positions.	549
The chief shall provide for the examination of persons	550
seeking certificates of competency as mine forepersons,	551
forepersons, mine electricians, and surface mine blasters as	552
needed and at such times and places within the state as shall,	553
in the judgment of the chief, afford the best facilities to the	554
greatest number of applicants.	555
The examinations provided for in this section shall be	556
conducted under rules adopted under section 1561.05 of the	557
Revised Code and conditions prescribed by the chief. Any rules	558
that relate to particular candidates shall, upon application of	559
any candidate, be furnished to the candidate by the chief; they	560
shall also be of uniform application to all candidates in the	561
several groups.	562
<b>Sec. 1561.17.</b> (A) Except as provided in division (F) of	563

this section, a person who applies for a certificate as ~~mine-~~ 564  
~~foreperson or~~ foreperson of nongaseous mines shall be able to 565  
read and write the English language; shall have had at least 566  
three years' actual practical experience in mines, or the 567  
equivalent thereof in the judgment of the chief of the division 568  
of mineral resources management; and shall have knowledge of the 569  
dangers and nature of noxious gases. Each applicant for 570  
examination shall pay a fee established in rules adopted under 571  
this section to the chief on the first day of the examination. 572

(B) A person who has been issued a certificate as a ~~mine-~~ 573  
~~foreperson or a~~ foreperson of a nongaseous coal mine and who has 574  
not worked in an underground coal mine for a period of more than 575  
two calendar years shall apply for and obtain recertification 576  
from the chief in accordance with rules adopted under this 577  
section before performing the duties of a ~~mine foreperson or a~~ 578  
foreperson of a nongaseous coal mine. An applicant for 579  
recertification shall pay a fee established in rules adopted 580  
under this section at the time of application for 581  
recertification. 582

(C) A person who has been issued a certificate as a ~~mine-~~ 583  
~~foreperson or a~~ foreperson of a nongaseous coal mine and who has 584  
not worked in an underground coal mine for a period of one or 585  
more calendar years shall successfully complete a retraining 586  
course in accordance with rules adopted under this section 587  
before performing the duties of a ~~mine foreperson or a~~ 588  
foreperson of a nongaseous coal mine. 589

(D) The chief, in consultation with a statewide 590  
association representing the coal mining industry and a 591  
statewide association representing employees of coal mines, 592  
shall adopt rules in accordance with Chapter 119. of the Revised 593

Code that do all of the following: 594

(1) Prescribe requirements, criteria, and procedures for 595  
the recertification of ~~a mine foreperson or~~ a foreperson of a 596  
nongaseous coal mine who has not worked in an underground coal 597  
mine for a period of more than two calendar years; 598

(2) Prescribe requirements, criteria, and procedures for 599  
the retraining of ~~a mine foreperson or~~ a foreperson of a 600  
nongaseous coal mine who has not worked in an underground coal 601  
mine for a period of one or more calendar years; 602

(3) Establish fees for the examination and recertification 603  
of ~~mine forepersons or~~ forepersons of nongaseous coal mines 604  
under this section; 605

(4) Prescribe any other requirements, criteria, and 606  
procedures that the chief determines are necessary to administer 607  
this section. 608

(E) Any money collected under this section shall be paid 609  
into the state treasury to the credit of the mining regulation 610  
and safety fund created in section 1513.30 of the Revised Code. 611

(F) The chief shall issue a certificate as a foreperson of 612  
nongaseous mines in accordance with Chapter 4796. of the Revised 613  
Code to an applicant if either of the following applies: 614

(1) The applicant holds a license or certificate in 615  
another state. 616

(2) The applicant has satisfactory work experience, a 617  
government certification, or a private certification as 618  
described in that chapter as a foreperson of nongaseous mines in 619  
a state that does not issue that license or certificate. 620

**Sec. 1565.04.** The operator of each mine who is an employer 621

as defined in section 4123.01 of the Revised Code, or any mine 622  
with three or more workers, shall employ a certified mine 623  
foreperson. In gaseous underground mines, only a holder of a 624  
mine foreperson of gaseous mines certificate that contains a 625  
notation by the chief of the division of mineral resources 626  
management showing the holder to be at least twenty-three years 627  
of age and have at least five years' actual practical experience 628  
in gaseous mines shall be employed as the mine foreperson. ~~In-~~ 629  
~~other underground mines, the mine foreperson shall be a holder-~~ 630  
~~of a mine foreperson of nongaseous mines certificate that-~~ 631  
~~contains a notation by the chief showing the holder to be at-~~ 632  
~~least twenty-one years of age and have at least three years'~~ 633  
~~actual practical experience in mines.~~ All such underground mines 634  
shall have at least one certified foreperson on duty at all 635  
times when workers are employed in the loading or mining of coal 636  
underground. Each active working area of a surface coal mine and 637  
each active surface installation of an underground coal mine 638  
shall be examined for hazardous conditions, at least once during 639  
each working shift or more often if necessary for safety, by a 640  
certified mine foreperson who is designated by the operator to 641  
conduct such examinations. Any hazardous conditions noted during 642  
the examinations shall be reported to the operator and shall be 643  
corrected by the operator. A certified mine foreperson may 644  
conduct the examination that is required during each shift at 645  
multiple mine sites, provided that the sites are within a ten- 646  
mile radius. 647

No operator of a mine shall refuse or neglect to comply 648  
with this section. 649

**Sec. 3319.2213.** (A) The state board of education shall 650  
enter into an agreement with a construction trade organization 651  
located in this state, such as affiliated construction trades 652

(ACT) Ohio, or its successor organization, to develop a training 653  
program to educate school counselors about building and 654  
construction trades career pathways. 655

A training program developed under this section shall be 656  
completed at a building and construction trades training 657  
facility and include information about both of the following: 658

(1) The pay and benefits available to people who work in 659  
the building and construction trades; 660

(2) Job opportunities and available apprenticeships for 661  
boilermakers, electrical workers, bricklayers, insulators, 662  
laborers, iron workers, plumbers and pipefitters, roofers, 663  
plasterers and cement masons, sheet metal workers, painters and 664  
glazers, elevator constructors, operating engineers, carpenters, 665  
and teamsters. 666

~~(B) (1)~~ (B) A licensed school counselor serving students in 667  
any of grades seven through twelve shall complete four hours of 668  
training developed under division (A) of this section ~~every five~~ 669  
~~years~~ within five years of initial licensure or, for such a 670  
counselor who was licensed prior to the effective date of this 671  
amendment, within five years of that effective date. 672

(C) Within five years of completing an initial training 673  
under division (B) of this section, and every five years 674  
thereafter, a licensed school counselor serving students in any 675  
of grades seven through twelve shall either complete four hours 676  
of training developed under division (A) of this section or 677  
certify to the local professional development committee 678  
established under section 3319.22 of the Revised Code that the 679  
counselor has spent a minimum of four hours doing one or more of 680  
the following alternative activities: 681

(1) Touring local career-technical education facilities 682  
and investigating program offerings, as well as possible student 683  
apprenticeship, internship, and employment opportunities for 684  
each program; 685

(2) Meeting with local JobsOhio staff and reviewing local 686  
business needs; in-demand job fields; and apprenticeship, 687  
internship, and employment opportunities for each local in- 688  
demand field; 689

(3) Participating in or helping host a career exploration 690  
opportunity for students with local businesses, including local 691  
employers of in-demand jobs. This training- 692

(D) Training and alternative activities completed under 693  
this section shall qualify toward meeting professional 694  
development activity requirements for the renewal of a pupil 695  
services license in school counseling. ~~An individual who begins~~ 696  
~~working with students in any of grades seven through twelve in~~ 697  
~~the last two years of the individual's five-year renewal cycle~~ 698  
~~shall complete this requirement during the following license~~ 699  
~~renewal cycle.~~ 700

~~(2) Local professional development committees established~~ 701  
~~under section 3319.22 of the Revised Code shall incorporate this~~ 702  
such training and alternative activities as part of the 703  
independent professional development programs for school 704  
counselors that serve students in any of grades seven through 705  
twelve. 706

~~(C)~~ (E) Participating building and construction trades 707  
shall ensure ample opportunities for school counselors to 708  
complete the training ~~prescribed under~~ described in division (A) 709  
of this section during each renewal cycle for licensure. 710

Participating building and construction trades training 711  
facilities or the entity with which the state board enters into 712  
an agreement under this section shall bear all costs associated 713  
with ~~this~~ that training. 714

**Sec. 3319.51.** (A) As used in this section, "operating 715  
expenses" includes the cost of administering requirements 716  
related to the issuance and renewal of licenses, certificates, 717  
or permits described in this chapter and sections 3301.071 and 718  
3301.074 of the Revised Code and any other cost incurred by the 719  
state board of education to perform a duty prescribed by law. 720

(B) The state board of education shall annually establish 721  
the amount of the fees required to be paid for any license, 722  
certificate, or permit issued under this chapter or division (B) 723  
of section 3301.071 or section 3301.074 of the Revised Code. 724  
~~Except—~~ 725

The state board shall establish a fee of one hundred fifty 726  
dollars to obtain or renew a professional administrator license 727  
issued under section 3319.272 of the Revised Code. 728

Except as provided in division (C) of this section, the 729  
amount of these fees shall be such that they, along with any 730  
appropriation made by the general assembly, will be sufficient 731  
to cover the annual estimated operating expenses of the state 732  
board. 733

(C) The state board shall not require any fee to be paid 734  
under division (B) of this section for a license, certificate, 735  
or permit issued for the purpose of teaching in a junior reserve 736  
officer training corps (JROTC) program approved by the congress 737  
of the United States under title 10 of the United States Code. 738

(D) The operating expenses of the state board shall be 739

paid primarily from, and all license, certificate, or permit 740  
fees received by the state board shall be deposited in, the 741  
state treasury to the credit of the occupational licensing and 742  
regulatory fund established in section 4743.05 of the Revised 743  
Code. 744

**Sec. 3701.83.** There is hereby created in the state 745  
treasury the general operations fund. Moneys in the fund shall 746  
be used for the purposes specified in sections 3701.04, 747  
3701.344, 3711.16, 3717.45, 3718.06, 3721.02, 3721.022, 3729.07, 748  
3733.43, 3748.04, 3748.05, 3748.07, ~~3748.12~~, 3748.13, 3749.04, 749  
3749.07, 3776.08, and 4769.09 of the Revised Code. 750

**Sec. 3704.14.** (A) (1) If the director of environmental 751  
protection determines that implementation of a motor vehicle 752  
inspection and maintenance program is necessary for the state to 753  
effectively comply with the federal Clean Air Act after June 30, 754  
2025, the director may provide for the implementation of the 755  
program in those counties in this state in which such a program 756  
is federally mandated. Upon making such a determination, the 757  
director of environmental protection may request the director of 758  
administrative services to extend the terms of the contract that 759  
was entered into under the authority of H.B. 33 of the 135th 760  
general assembly. Upon receiving the request, the director of 761  
administrative services shall extend the contract, beginning on 762  
July 1, 2025, in accordance with this section. The contract 763  
shall be extended for a period of up to twenty-four months with 764  
the contractor who conducted the motor vehicle inspection and 765  
maintenance program under that contract. 766

(2) Prior to the expiration of the contract extension that 767  
was authorized by division (A) (1) of this section under the 768  
authority of H.B. 33 of the 135th general assembly, the director 769

of environmental protection shall request the director of 770  
administrative services to enter into a contract with a vendor 771  
to operate a decentralized motor vehicle inspection and 772  
maintenance program in each county in this state in which such a 773  
program is federally mandated through June 30, 2027. The 774  
contract shall ensure that the decentralized motor vehicle 775  
inspection and maintenance program achieves an equivalent amount 776  
of emission reductions as achieved by the program operated under 777  
the authority of the contract that was extended under division 778  
(A) (1) of this section under the authority of H.B. 33 of the 779  
135th general assembly. The director of administrative services 780  
shall select a vendor through a competitive selection process in 781  
compliance with Chapter 125. of the Revised Code. 782

(3) Notwithstanding any law to the contrary, the director 783  
of administrative services shall ensure that a competitive 784  
selection process regarding a contract to operate a 785  
decentralized motor vehicle inspection and maintenance program 786  
in this state incorporates the following, which shall be 787  
included in the contract: 788

(a) For purposes of expanding the number of testing 789  
locations for consumer convenience, a requirement that the 790  
vendor utilize established local businesses, auto repair 791  
facilities, or leased properties to operate state-approved 792  
inspection and maintenance testing facilities; 793

(b) A requirement that the vendor selected to operate the 794  
program provide notification of the program's requirements to 795  
each owner of a motor vehicle that is required to be inspected 796  
under the program. The contract shall require the notification 797  
to be provided not later than sixty days prior to the date by 798  
which the owner of the motor vehicle is required to have the 799

motor vehicle inspected. The director of environmental 800  
protection and the vendor shall jointly agree on the content of 801  
the notice. However, the notice shall include at a minimum the 802  
locations of all inspection facilities within a specified 803  
distance of the address that is listed on the owner's motor 804  
vehicle registration. 805

(c) A requirement that the vendor comply with testing 806  
methodology and supply the required equipment approved by the 807  
director of environmental protection as specified in the 808  
competitive selection process in compliance with Chapter 125. of 809  
the Revised Code. 810

(4) A decentralized motor vehicle inspection and 811  
maintenance program operated under this section shall comply 812  
with division (B) of this section. The director of environmental 813  
protection shall administer the decentralized motor vehicle 814  
inspection and maintenance program operated under this section. 815

(B) The director shall establish a decentralized motor 816  
vehicle inspection and maintenance program as authorized by this 817  
section and, at a minimum, the director shall ensure that the 818  
program does all of the following: 819

(1) Complies with the federal Clean Air Act; 820

(2) Provides for the issuance of inspection certificates 821  
and alternative emissions certificates as specified in rules 822  
adopted under division (C) (2) of this section; 823

(3) Provides for a new car exemption for motor vehicles 824  
six years old or newer and provides that a new motor vehicle is 825  
exempt for six years regardless of whether legal title to the 826  
motor vehicle is transferred during that period; 827

(4) Provides for an exemption for battery electric motor 828

vehicles; 829

(5) Provides for an exemption for hybrid motor vehicles 830  
seven years old or newer and provides that a hybrid motor 831  
vehicle is exempt for seven years regardless of whether legal 832  
title to the motor vehicle is transferred during that period. 833

(C) (1) The director of environmental protection shall 834  
adopt rules in accordance with Chapter 119. of the Revised Code 835  
that the director determines are necessary to implement this 836  
section. The director may continue to implement and enforce 837  
rules pertaining to the motor vehicle inspection and maintenance 838  
program previously implemented under former section 3704.14 of 839  
the Revised Code as that section existed prior to its repeal and 840  
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 841  
provided that the rules do not conflict with this section. 842

(2) The rules adopted under division (C) (1) of this 843  
section shall provide for the issuance of inspections 844  
certificates and alternative emissions certificates. Under the 845  
rules, an inspection certificate shall be issued to the owner or 846  
lessee of a motor vehicle when the motor vehicle passes an 847  
emissions inspection conducted in accordance with the motor 848  
vehicle inspection and maintenance program established under 849  
this section. In lieu of obtaining an inspection certificate, 850  
the rules shall establish a system by which the owner or lessee 851  
of a motor vehicle may request an alternative emissions 852  
certificate from the director. 853

(a) The rules providing for the issuance of alternative 854  
emissions certificates shall require an owner or lessee of a 855  
motor vehicle to do the following in order to receive the 856  
certificate: 857

(i) Complete and submit an attestation form created by the 858  
director that includes a statement that reads substantially as 859  
follows: 860

"I, \_\_\_\_\_, attest that, to the best of my knowledge, the 861  
motor vehicle concerning which I am the owner or lessee complies 862  
with all laws of Ohio and the United States governing motor 863  
vehicle emissions. I, \_\_\_\_\_, am aware that a false statement on 864  
this form is not permitted." 865

(ii) Sign and date the form either manually or 866  
electronically; 867

(iii) Submit the form to the director either by regular 868  
mail, certified mail, or electronically. 869

(b) The rules shall require the director to include both 870  
of the following additional information on the attestation form: 871

(i) A provision that allows the owner or lessee of a motor 872  
vehicle to specify one of the following methods by which the 873  
owner or lessee may request delivery of the alternative 874  
emissions certificate: certified mail, noncertified mail, or 875  
electronically; 876

(ii) A provision that allows the owner or lessee of a 877  
motor vehicle to specify the vehicle identification number, 878  
make, model, and year of the relevant motor vehicle and the date 879  
the attestation form is submitted to the director. 880

(c) Subject to division (C) (2) (d) of this section, the 881  
rules shall require the director to deliver an alternative 882  
emission certificate to the owner or lessee of a motor vehicle 883  
who complies with rules adopted under division (C) (2) (a) of this 884  
section. The director shall deliver the certificate within 885  
thirty business days after the director's receipt of the 886

attestation form or, if the owner or lessee submits the form 887  
electronically, within five business days after receipt of the 888  
form. The director shall confirm the receipt of the attestation 889  
form if the director receives it by electronic means. 890

(d) The rules shall require the director to reject an 891  
attestation form for any of the following reasons: 892

(i) The motor vehicle that is the subject of the 893  
attestation form was in an accident or collision within the two 894  
years prior to the date of submission of the form, and the 895  
accident or collision caused substantial damage to the internal 896  
structure of the motor vehicle. 897

(ii) The owner or lessee of the motor vehicle that is the 898  
subject of the attestation form has received a ticket, citation, 899  
or summons with regard to that motor vehicle within the two 900  
years prior to the date of submission of the form for a 901  
violation of section 4513.22 of the Revised Code or 902  
substantially equivalent municipal ordinance. 903

(iii) The information in the attestation form is 904  
determined by the director to be false. 905

If the director rejects an attestation form under division 906  
(C) (2) (d) (iii) of this section, the director shall provide 907  
notice to the owner or lessee that the attestation form was 908  
determined to be false. The notice shall inform the owner or 909  
lessee that the owner or lessee may submit a corrected form to 910  
the director within thirty days of the receipt of the notice. If 911  
the owner or lessee submits a corrected attestation form that 912  
complies with rules adopted under division (C) (2) of this 913  
section within that thirty-day period, the director shall issue 914  
an alternative emissions certificate to the owner or lessee. If 915

the owner or lessee fails to correct the attestation form, the 916  
director shall require the owner or lessee to complete an 917  
emissions inspection and obtain an inspection certificate in 918  
accordance with rules adopted under this section. 919

If the director rejects an attestation form under division 920  
(C) (2) (d) (i) or (ii) of this section, the director shall require 921  
the owner or lessee to complete an emissions inspection and 922  
obtain an inspection certificate in accordance with rules 923  
adopted under this section. 924

(e) In adopting rules under division (C) (2) of this 925  
section, the director shall ensure that the owner or lessee of a 926  
motor vehicle who falsifies an attestation form receives a 927  
notice that includes a statement that reads substantially as 928  
follows: "You have falsified an attestation form for your 929  
vehicle under the E-Check/motor vehicle emissions testing 930  
program. Your vehicle is registered in one of [insert the number 931  
of counties] counties in this state that has federal emission 932  
mandates imposed on it that the State of Ohio is required, under 933  
threat of penalty, to enforce. This letter serves as Ohio's only 934  
penalty for falsification of an attestation form. You have 935  
thirty days from the date of this notice to amend your 936  
attestation form and submit the amended form to the 937  
Environmental Protection Agency. However, if you choose not to 938  
submit an amended attestation form, you must have a motor 939  
vehicle emissions inspection conducted for your vehicle in 940  
accordance with section 3704.14 of the Revised Code and rules 941  
adopted under it." 942

(f) No penalties apply to a person who the director has 943  
determined to have falsified an attestation form, other than the 944  
issuance of the notice required under division (C) (2) (e) of this 945

section. 946

(D) There is hereby created in the state treasury the auto 947  
emissions test fund, which shall consist of money received by 948  
the director from any cash transfers, state and local grants, 949  
and other contributions that are received for the purpose of 950  
funding the program established under this section. The director 951  
of environmental protection shall use money in the fund solely 952  
for the implementation, supervision, administration, operation, 953  
and enforcement of the motor vehicle inspection and maintenance 954  
program established under this section. Money in the fund shall 955  
not be used for either of the following: 956

(1) To pay for the inspection costs incurred by a motor 957  
vehicle dealer so that the dealer may provide inspection 958  
certificates to an individual purchasing a motor vehicle from 959  
the dealer when that individual resides in a county that is 960  
subject to the motor vehicle inspection and maintenance program; 961

(2) To provide payment for more than one free passing 962  
emissions inspection or a total of three emissions inspections 963  
for a motor vehicle in any three-hundred-sixty-five-day period. 964  
The owner or lessee of a motor vehicle is responsible for 965  
inspection fees that are related to emissions inspections beyond 966  
one free passing emissions inspection or three total emissions 967  
inspections in any three-hundred-sixty-five-day period. 968  
Inspection fees that are charged by a contractor conducting 969  
emissions inspections under a motor vehicle inspection and 970  
maintenance program shall be approved by the director of 971  
environmental protection. 972

(E) The motor vehicle inspection and maintenance program 973  
established under this section expires upon the termination of 974  
all contracts entered into under this section and shall not be 975

implemented beyond the final date on which termination occurs. 976

(F) As used in this section "battery electric motor 977  
vehicle" and "hybrid motor vehicle" have the same meanings as in 978  
section 4501.01 of the Revised Code. 979

(G) On June 30, 2025, the director shall immediately begin 980  
procedures to submit to the United States environmental 981  
protection agency the alternative emissions certification 982  
program for approval as part of the Ohio state implementation 983  
plan. If the United States environmental protection agency 984  
approves the modification of the decentralized motor vehicle 985  
inspection and maintenance program as providing sufficient air 986  
pollution reductions to meet the federal Clean Air Act 987  
requirements for a vehicle inspection and maintenance program 988  
and modifies the Ohio state implementation plan, the director 989  
shall immediately begin to modify the Ohio environmental 990  
protection agency rules to implement the alternative emissions 991  
certification program. Nothing in this division requires the 992  
Ohio environmental protection agency to take action to implement 993  
the alternative emissions certification program until the United 994  
States environmental protection agency approves the alternative 995  
program as part of the Ohio state implementation plan. 996

(H) If the United States environmental protection agency 997  
determines that the motor vehicle inspection and maintenance 998  
program implemented in accordance with this section is not 999  
necessary for the state or any area of the state to comply with 1000  
the federal Clean Air Act, the director shall immediately 1001  
discontinue the program and take any actions necessary to 1002  
effectuate the termination of the program. If the director 1003  
discontinues the motor vehicle inspection and maintenance 1004  
program in this state in accordance with this division, the 1005

director shall immediately rescind any rule associated with the 1006  
program, including rules that govern both of the following: 1007

(1) The certification of inspectors under the program; 1008

(2) The certification of repair technicians, including 1009  
waiver repair technicians, under the program. 1010

**Sec. 3723.02.** (A) Except as otherwise provided in this 1011  
section, no individual shall do any of the following without a 1012  
valid radon mitigation specialist license: 1013

(1) ~~No individual shall perform~~ Perform radon testing, or 1014  
hold ~~himself~~ self out as performing radon testing, ~~without a~~ 1015  
~~valid radon tester or mitigation specialist license.~~; 1016

(2) ~~No individual shall provide~~ Provide professional or 1017  
expert advice on radon testing, radon exposure, or health risks 1018  
related to radon exposure, or hold ~~himself~~ self out as providing 1019  
such advice, ~~without a radon tester or mitigation specialist~~ 1020  
~~license.~~; 1021

(3) ~~No individual shall provide on-site supervision of~~ 1022  
~~radon mitigation, or hold himself out as providing such~~ 1023  
~~supervision, without a radon mitigation specialist license.~~ 1024

~~(4) No individual shall provide~~ Provide professional or 1025  
expert advice on radon mitigation or radon entry routes, or hold 1026  
~~himself~~ self out as providing such advice, ~~without a radon~~ 1027  
~~mitigation specialist license.~~ 1028

~~(5) No business entity or government entity shall perform~~ 1029  
~~or authorize any individual employed by it to perform;~~ 1030

(4) Perform radon mitigation, or hold ~~itself~~ self out as 1031  
performing radon mitigation, ~~without a valid radon mitigation~~ 1032  
~~contractor license.~~ 1033

(B) Division (A) of this section does not apply to any of 1034  
the following: 1035

(1) An individual, ~~business entity, or government entity~~ 1036  
using techniques during new construction designed to prevent or 1037  
reduce radon infiltration in the new construction; 1038

(2) An individual, ~~business entity, or government entity~~ 1039  
performing radon tests or mitigation on a building or real 1040  
property that the individual, ~~business entity, or government~~ 1041  
~~entity~~ owns or leases; 1042

(3) An individual, ~~business entity, or government entity~~ 1043  
practicing in accordance with section 3723.03 of the Revised 1044  
Code as a radon ~~tester, mitigation specialist, or mitigation~~ 1045  
~~contractor~~ under a license issued by another state; 1046

(4) An individual, ~~business entity, or government entity~~ 1047  
conducting research regarding radon testing or mitigation in 1048  
accordance with section 3723.04 of the Revised Code. 1049

(C) Division ~~(A)(5)~~ (A)(4) of this section does not apply 1050  
to an ~~employee of a licensed radon mitigation contractor, or a~~ 1051  
general contractor that subcontracts for radon mitigation to be 1052  
performed by a licensed radon mitigation ~~contractors~~ specialist. 1053

**Sec. 3723.03.** Pursuant to division (B) of section 3723.02 1054  
of the Revised Code, an individual, ~~business entity, or~~ 1055  
~~government entity~~ that holds a valid license issued by another 1056  
state authorizing practice as a radon ~~tester, mitigation~~ 1057  
~~specialist, or mitigation contractor~~ under the laws of that 1058  
state may practice in this state without a license issued under 1059  
this chapter for not more than ninety days in any calendar year 1060  
as a radon ~~tester, mitigation specialist, or mitigation~~ 1061  
~~contractor~~, if the director of health finds that the 1062

requirements for licensure in that state are comparable to the 1063  
requirements for licensure under this chapter and the rules 1064  
adopted under it and the individual, ~~business entity, or~~ 1065  
~~government entity~~ provides notice to the director of health, in 1066  
accordance with rules adopted under section 3723.09 of the 1067  
Revised Code, prior to commencing practice in this state. 1068  
Chapter 4796. of the Revised Code does not apply to a 1069  
nonresident individual authorized to practice under this 1070  
section. 1071

**Sec. 3723.04.** (A) Pursuant to division (B) of section 1072  
3723.02 of the Revised Code, an individual, ~~business entity, or~~ 1073  
~~government entity~~ conducting research regarding radon testing or 1074  
mitigation may perform radon testing or mitigation without a 1075  
license, if the owner or occupant of the building or real 1076  
property where the research is to be conducted consents after 1077  
being informed in writing of all of the following: 1078

(1) That the individual, ~~business entity, or government~~ 1079  
~~entity~~ is not licensed to perform radon testing or mitigation; 1080

(2) That the results of any testing are not valid for use 1081  
in any contract or legal document as evidence of the presence or 1082  
absence of radon in the building or real property; 1083

(3) That any mitigation methods used are experimental and 1084  
may not be successful. 1085

(B) Radon test results obtained pursuant to this section 1086  
are not valid for use in any contract or legal document as 1087  
evidence of the presence or absence of radon in the building or 1088  
real property tested. 1089

(C) No licensed radon mitigation specialist shall provide 1090  
advice regarding radon mitigation or perform radon mitigation on 1091

the basis of any radon test performed pursuant to this section. 1092

~~(D) No licensed radon mitigation contractor shall perform~~ 1093  
~~radon mitigation on the basis of any radon test performed~~ 1094  
~~pursuant to this section.~~ 1095

**Sec. 3723.05.** (A) No licensed radon ~~tester~~ mitigation 1096  
specialist shall use the services of a radon laboratory that has 1097  
not been approved under section 3723.07 of the Revised Code. 1098

~~(B) No licensed radon mitigation contractor shall do any~~ 1099  
~~of the following:~~ 1100

~~(1) Perform radon mitigation without the direct on-site~~ 1101  
~~supervision of a licensed radon mitigation specialist;~~ 1102

~~(2) Provide radon testing services other than through the~~ 1103  
~~employment of a licensed radon tester or mitigation specialist;~~ 1104

~~(3) Provide advice regarding radon testing, radon~~ 1105  
~~exposure, or health risks associated with radon exposure other~~ 1106  
~~than through the employment of a licensed radon tester or~~ 1107  
~~mitigation specialist;~~ 1108

~~(4) Provide advice regarding radon mitigation or radon~~ 1109  
~~entry routes other than through the employment of a licensed~~ 1110  
~~radon mitigation specialist.~~ 1111

~~(C) No licensed radon tester, licensed radon mitigation~~ 1112  
~~specialist, or licensed radon mitigation contractor~~ involved in 1113  
the testing of a particular building, or in the provision of 1114  
advice with respect to a particular building, shall be involved 1115  
in the performance of mitigation on that building unless the 1116  
contract for mitigation is in writing and clearly and 1117  
conspicuously states both of the following: 1118

(1) That the radon ~~tester, mitigation specialist, or~~ 1119

~~mitigation contractor~~ was involved in the testing or provision 1120  
of advice that led to the mitigation contract; 1121

(2) The advantages of long-term testing and the value of a 1122  
second opinion as ways to verify test results and to assure that 1123  
the proposed mitigation is appropriate, especially when the 1124  
mitigation is to be performed by the ~~tester~~, mitigation 1125  
specialist, ~~or mitigation contractor~~ that was involved in the 1126  
testing or provision of advice that led to the mitigation 1127  
contract. 1128

~~(D)~~ (C) No licensed radon ~~tester~~, ~~licensed radon mitigation~~ 1129  
~~specialist~~, ~~or licensed radon mitigation contractor~~ shall 1130  
perform radon testing or mitigation or provide any advice 1131  
related to radon, radon testing, or radon mitigation unless it 1132  
is performed in accordance with the requirements of this chapter 1133  
and the rules adopted under it. 1134

~~(E)~~ (D) No licensed radon ~~tester~~, ~~licensed radon mitigation~~ 1135  
~~specialist~~, ~~or licensed radon mitigation contractor~~ shall 1136  
violate any requirement of this chapter or any rule adopted 1137  
under it. 1138

**Sec. 3723.06.** (A) The director of health shall license 1139  
radon ~~testers~~, mitigation specialists, ~~and mitigation~~ 1140  
~~contractors~~. Each applicant for a license shall submit a 1141  
completed application to the director on a form the director 1142  
shall prescribe and furnish. 1143

(B) Except as provided in division ~~(F)~~ (E) of this section 1144  
and in accordance with rules adopted under section 3723.09 of 1145  
the Revised Code, the director shall issue ~~the appropriate a~~ 1146  
license to each applicant that pays ~~the a~~ a license fee ~~prescribed~~ 1147  
~~by the director~~ of two hundred dollars, meets the licensing 1148

criteria established by the director, and complies with any 1149  
other licensing and training requirements established by the 1150  
director. ~~An individual, business entity, or government entity~~ 1151  
~~may hold more than one license issued under this section, but a~~ 1152  
~~separate application is required for each license.~~ 1153

~~(C) Notwithstanding division (B) of this section and~~ 1154  
~~except as provided in division (F) of this section, the director~~ 1155  
~~shall issue a radon mitigation contractor license on request to~~ 1156  
~~the holder of a radon mitigation specialist license if the~~ 1157  
~~license holder is the owner or chief stockholder of a business~~ 1158  
~~entity for which the license holder is the only individual who~~ 1159  
~~will work as a radon mitigation specialist. The licensing~~ 1160  
~~criteria and any other licensing and training requirements the~~ 1161  
~~individual was required to meet to qualify for the radon~~ 1162  
~~mitigation specialist license are hereby deemed to satisfy any~~ 1163  
~~and all criteria and requirements for a radon mitigation~~ 1164  
~~contractor license. A license issued under this division shall~~ 1165  
~~expire at the same time as the individual's radon mitigation~~ 1166  
~~specialist license. No license fee shall be imposed for a~~ 1167  
~~license issued under this division.~~ 1168

~~(D)~~ (C) A license issued under this section expires 1169  
biennially and may be renewed by the director in accordance with 1170  
criteria and procedures established in rules adopted under 1171  
section 3723.09 of the Revised Code and on payment of ~~the a~~ 1172  
license renewal fee ~~prescribed in those rules~~ of two hundred 1173  
dollars. 1174

~~(E)~~ (D) In accordance with Chapter 119. of the Revised 1175  
Code, the director may do either of the following: 1176

(1) Refuse to issue a license to an individual, ~~business~~ 1177  
~~entity, or government entity~~ that does not meet the requirements 1178

of this chapter or the rules adopted under it or has been in 1179  
violation of those requirements; 1180

(2) Suspend, revoke, or refuse to renew the license of an 1181  
individual, ~~business entity, or government entity~~ that is or has 1182  
been in violation of the requirements of this chapter or the 1183  
rules adopted under it. 1184

~~(F)~~ (E) The director shall issue a radon ~~tester, mitigation~~ 1185  
~~specialist, or mitigation contractor~~ license in accordance with 1186  
Chapter 4796. of the Revised Code to an applicant if either of 1187  
the following applies: 1188

(1) The applicant holds a license in another state. 1189

(2) The applicant has satisfactory work experience, a 1190  
government certification, or a private certification as 1191  
described in that chapter as a radon ~~tester, mitigation~~ 1192  
~~specialist, or mitigation contractor~~ in a state that does not 1193  
issue ~~one or more of those licenses~~ that license. 1194

**Sec. 3723.07.** The director of health shall approve ~~all~~ 1195  
both of the following: 1196

(A) Licensure training courses for radon ~~testers and~~ 1197  
mitigation specialists; 1198

(B) ~~Training courses for employees of mitigation~~ 1199  
~~contractors;~~ 1200

~~(C)~~ Radon laboratories. 1201

Each applicant for approval shall submit a completed 1202  
application to the director on a form the director shall 1203  
prescribe and furnish. 1204

In accordance with rules adopted under section 3723.09 of 1205

the Revised Code, the director shall issue the appropriate 1206  
approval to each applicant that pays the approval fee prescribed 1207  
by the director and meets the criteria for approval established 1208  
by the director. 1209

In accordance with Chapter 119. of the Revised Code, the 1210  
director may refuse to issue an approval and may revoke or 1211  
suspend an approval issued under this section if the operator of 1212  
the course or laboratory fails to meet the criteria established 1213  
by the director. 1214

**Sec. 3723.08.** (A) The director of health shall do all of 1215  
the following: 1216

(1) Administer the radon licensing program established by 1217  
this chapter and enforce the requirements of this chapter and 1218  
the rules adopted under it; 1219

(2) Examine records of radon ~~testers,~~ mitigation 1220  
specialists, ~~mitigation contractors,~~ and operators of radon 1221  
laboratories and training courses approved under section 3723.07 1222  
of the Revised Code as ~~he~~the director considers necessary to 1223  
determine whether they are in compliance with the requirements 1224  
of this chapter and the rules adopted under it; 1225

(3) Coordinate the radon licensing program with any radon 1226  
programs in schools; 1227

(4) Collect and disseminate information relating to radon 1228  
in this state; 1229

(5) Conduct research on indoor radon contamination, which 1230  
may include a statewide survey. 1231

(B) The director of health may do any of the following: 1232

(1) Employ individuals with training necessary to 1233

implement the requirements of this chapter and the rules adopted 1234  
under it, and pay the license fee or license renewal fee 1235  
~~established under section 3723.09 of the Revised Code~~ for any 1236  
such employee who is required to be licensed under this chapter; 1237

(2) Conduct inspections as ~~he~~the director considers 1238  
necessary to determine whether the requirements of this chapter 1239  
and the rules adopted under it have been met; 1240

(3) Conduct training programs and establish and collect 1241  
fees to cover the cost of conducting them; 1242

(4) Advise, consult with, cooperate with, and enter into 1243  
contracts or grant agreements with any individual, business 1244  
entity, government entity, interstate agency, or the federal 1245  
government as ~~he~~the director considers appropriate to fulfill 1246  
the requirements of this chapter and the rules adopted under it; 1247

(5) Consult with and seek recommendations from the 1248  
radiation advisory council established under section 3748.20 of 1249  
the Revised Code with respect to the implementation of this 1250  
chapter; 1251

(6) Delegate ~~his~~the director's authority and duties under 1252  
this chapter to any division, bureau, agency, or employee of the 1253  
department of health; 1254

(7) Collect information required to be reported to ~~him~~the 1255  
director under any rules adopted under section 3723.09 of the 1256  
Revised Code. 1257

**Sec. 3723.09.** (A) To protect the health of individuals 1258  
inhabiting, occupying, or frequenting buildings, the director of 1259  
health shall adopt rules to implement the requirements of this 1260  
chapter. All rules adopted under this section shall be adopted 1261  
in accordance with Chapter 119. of the Revised Code. 1262

(B) The director shall adopt rules establishing criteria 1263  
and procedures for issuing and renewing licenses under section 1264  
3723.06 of the Revised Code to radon ~~testers~~, mitigation 1265  
specialists, ~~and mitigation contractors~~. The rules may require 1266  
that all applicants for licensure as a radon ~~tester or~~ 1267  
mitigation specialist pass an examination. If an examination is 1268  
required, the rules may require applicants to pass an 1269  
examination conducted by the department or an appropriate 1270  
examination conducted by the United States environmental 1271  
protection agency. 1272

(C) The director shall adopt rules establishing criteria 1273  
and procedures for approving training courses under section 1274  
3723.07 of the Revised Code. The rules may require that 1275  
participants in training courses pass an examination conducted 1276  
by the operator of the course and may require that the 1277  
examinations be approved by the director. 1278

(D) The director shall adopt rules establishing criteria 1279  
and procedures for approving radon laboratories under section 1280  
3723.07 of the Revised Code. 1281

(E) The director shall adopt rules establishing reasonable 1282  
fees for ~~licenses, license renewals,~~ radon laboratory approvals, 1283  
and training course approvals. 1284

(F) The director shall adopt rules establishing standards 1285  
to be followed by licensed radon ~~testers~~, mitigation 1286  
specialists, ~~and mitigation contractors~~ for the prevention of 1287  
hazards to the public health, including standards for ~~worker~~ 1288  
~~protection, record keeping, and training of employees of~~ 1289  
~~licensed radon mitigation contractors.~~ 1290

(G) The director shall adopt rules establishing procedures 1291

to be followed by any individual, ~~business entity, or government~~ 1292  
~~entity~~ licensed by another state to practice as a radon ~~tester,~~ 1293  
mitigation specialist, ~~or mitigation contractor~~ in providing 1294  
notice to the director of health prior to commencing practice in 1295  
this state pursuant to section 3723.03 of the Revised Code. 1296

(H) The director may adopt rules that require licensed 1297  
radon ~~testers and~~ mitigation specialists to report to the 1298  
director, by street address, radon test results that indicate 1299  
the presence of radon at a level considered to be dangerous as 1300  
determined by the director. The rules may require the reporting 1301  
of screening measurements, follow-up measurements, post- 1302  
mitigation measurements, and, if it is known that radon 1303  
mitigation has been performed, the methods of mitigation that 1304  
were used. Any information required to be reported to the 1305  
director under these rules is not a public record under section 1306  
149.43 of the Revised Code, and shall not be released except in 1307  
aggregate statistical form. 1308

**Sec. 3723.10.** Any individual, business entity, or 1309  
government entity may file a complaint with the director of 1310  
health concerning any radon ~~tester,~~ mitigation specialist, ~~or~~ 1311  
~~mitigation contractor,~~ or operator of a radon laboratory or a 1312  
training course approved under section 3723.07 of the Revised 1313  
Code. The complainant's name shall be confidential and shall not 1314  
be released without ~~his~~ the complainant's written consent. 1315

The director may investigate complaints and take action 1316  
under section 3723.06, 3723.07, or division (A)(1) of section 1317  
3723.08 of the Revised Code as ~~he~~ the director considers 1318  
necessary and appropriate. 1319

**Sec. 3723.11.** The director of health shall maintain a list 1320  
of all licensed radon ~~testers,~~ mitigation specialists, ~~and~~ 1321

~~mitigation contractors.~~ On request, the director shall provide a 1322  
copy of all or part of the list to any individual, business 1323  
entity, or government entity. The director shall not impose a 1324  
charge for providing the copy that exceeds the actual and 1325  
necessary expense of copying it. 1326

**Sec. 3723.13.** If the director of health requests to 1327  
examine such records, no licensed radon ~~tester,~~ mitigation 1328  
specialist, ~~mitigation contractor,~~ or operator of a radon 1329  
laboratory or a training course approved under section 3723.07 1330  
of the Revised Code shall fail to make available to the director 1331  
any records pertinent to the activities regulated by this 1332  
chapter and the rules adopted under it. 1333

**Sec. 3723.15.** (A) At the request of the director of 1334  
health, the attorney general may bring a civil action for 1335  
appropriate relief, including a temporary restraining order, 1336  
preliminary or permanent injunction, and civil penalties, in the 1337  
court of common pleas of the county in which a violation has 1338  
occurred, is occurring, or is threatening to occur against any 1339  
individual, ~~business entity, or government entity~~ that has 1340  
violated, is violating, or threatens to violate a requirement of 1341  
this chapter or a rule adopted under it. In accordance with the 1342  
Rules of Civil Procedure, the court of common pleas in which an 1343  
action for injunction is filed has jurisdiction to grant, and 1344  
shall grant, a temporary restraining order and preliminary and 1345  
permanent injunctive relief upon a showing that the individual, ~~—~~ 1346  
~~business entity, or government entity~~ against whom the action is 1347  
brought has violated, is violating, or threatens to violate a 1348  
requirement of this chapter or a rule adopted under it. In an 1349  
action for a civil penalty, the court may impose upon an 1350  
individual, ~~or business entity~~ found to have violated a 1351  
requirement of this chapter or a rule adopted under it a civil 1352

penalty of not more than one thousand dollars for each day of 1353  
violation. Moneys resulting from civil penalties imposed under 1354  
this section shall be credited to the radon program fund created 1355  
pursuant to section 3723.14 of the Revised Code. 1356

(B) The remedies provided in this section are in addition 1357  
to remedies otherwise available under any federal or state law 1358  
or ordinance of a municipal corporation. 1359

**Sec. 3723.16.** At the request of the director of health, an 1360  
individual ~~or business entity~~ that is violating or has violated 1361  
any requirement of this chapter or the rules adopted under it 1362  
may be prosecuted by the attorney general or by the prosecuting 1363  
attorney, city director of law, village solicitor, or similar 1364  
prosecuting authority of the political subdivision in which the 1365  
violation occurred or is occurring. 1366

**Sec. 3723.17.** (A) If radon testing or mitigation is 1367  
performed or any related advice is provided in accordance with 1368  
any procedures established under federal law or the Revised 1369  
Code, the liability of a licensed radon ~~tester,~~ mitigation 1370  
~~specialist, or mitigation contractor~~ for injury, death, or loss 1371  
to person or property allegedly caused by or otherwise related 1372  
to radon testing or mitigation or related advice is limited to 1373  
liability for actions or omissions that are established, by a 1374  
preponderance of the evidence, to have been negligent. 1375  
Establishment by a preponderance of the evidence that actions or 1376  
omissions relating to radon testing or mitigation or related 1377  
advice were at the time of occurrence in accordance both with 1378  
generally accepted practice and with any procedures established 1379  
under federal law or the Revised Code creates a rebuttable 1380  
presumption that the actions or omissions were not negligent. 1381

(B) The liability of an individual or business entity, 1382

other than the owner or occupant of the affected building or 1383  
real property, contracting with a licensed radon ~~tester,~~ 1384  
~~mitigation specialist, or mitigation contractor~~ for injury, 1385  
death, or loss to person or property allegedly caused by the 1386  
radon ~~tester, mitigation specialist, or mitigation contractor~~ is 1387  
limited to actions or omissions that the individual or business 1388  
entity knew, or reasonably should have known, were not, at the 1389  
time of occurrence, in accordance with generally accepted 1390  
practice or with any procedures established under federal law or 1391  
the Revised Code. 1392

(C) This section governs all claims for injury, death, or 1393  
loss to person or property arising from radon testing or 1394  
mitigation or the provision of any related advice. 1395

**Sec. 3723.99.** Whoever violates division (A) of section 1396  
3723.02, division (C) ~~or (D)~~ of section 3723.04, section 1397  
3723.05, or section 3723.13 of the Revised Code is guilty of a 1398  
misdemeanor of the first degree. Each day of violation is a 1399  
separate offense. 1400

**Sec. 3742.03.** The director of health shall adopt rules in 1401  
accordance with Chapter 119. of the Revised Code for the 1402  
administration and enforcement of sections 3742.01 to 3742.19 1403  
and 3742.99 of the Revised Code. The rules shall specify all of 1404  
the following: 1405

(A) Procedures to be followed by a lead abatement 1406  
contractor, lead abatement project designer, lead abatement 1407  
worker, lead inspector, or lead risk assessor licensed under 1408  
section 3742.05 of the Revised Code for undertaking lead 1409  
abatement activities and procedures to be followed by a 1410  
clearance technician, lead inspector, or lead risk assessor in 1411  
performing a clearance examination; 1412

(B) (1) Requirements for training and licensure, in 1413  
addition to those established under section 3742.08 of the 1414  
Revised Code, to include levels of training and periodic 1415  
refresher training for each class of worker, and to be used for 1416  
licensure under section 3742.05 of the Revised Code. Except in 1417  
the case of clearance technicians, these requirements shall 1418  
include at least twenty-four classroom hours of training based 1419  
on the Occupational Safety and Health Act training program for 1420  
lead set forth in 29 C.F.R. 1926.62. For clearance technicians, 1421  
the training requirements to obtain an initial license shall not 1422  
exceed six hours and the requirements for refresher training 1423  
shall not exceed two hours every four years. In establishing the 1424  
training and licensure requirements, the director shall consider 1425  
the core of information that is needed by all licensed persons, 1426  
and establish the training requirements so that persons who 1427  
would seek licenses in more than one area would not have to take 1428  
duplicative course work. 1429

(2) Persons certified by the American board of industrial 1430  
hygiene as a certified industrial hygienist or as an industrial 1431  
hygienist-in-training, and persons registered as an 1432  
environmental health specialist or environmental health 1433  
specialist in training under Chapter 3776. of the Revised Code, 1434  
shall be exempt from any training requirements for initial 1435  
licensure established under this chapter, but shall be required 1436  
to take any examinations for licensure required under section 1437  
3742.05 of the Revised Code. 1438

(C) ~~Fees~~ The fees for licenses issued the issuance and 1439  
renewal of a lead abatement worker license under section 3742.05 1440  
of the Revised Code ~~and for their renewal;~~ 1441

(D) Procedures to be followed by lead inspectors, lead 1442

abatement contractors, environmental lead analytical 1443  
laboratories, lead risk assessors, lead abatement project 1444  
designers, and lead abatement workers to prevent public exposure 1445  
to lead hazards and ensure worker protection during lead 1446  
abatement projects; 1447

(E) (1) Record-keeping and reporting requirements for 1448  
clinical laboratories, environmental lead analytical 1449  
laboratories, lead inspectors, lead abatement contractors, lead 1450  
risk assessors, lead abatement project designers, and lead 1451  
abatement workers for lead abatement projects and record-keeping 1452  
and reporting requirements for clinical laboratories, 1453  
environmental lead analytical laboratories, and clearance 1454  
technicians for clearance examinations; 1455

(2) Record-keeping and reporting requirements regarding 1456  
lead poisoning to be followed by physicians, certified nurse- 1457  
midwives if authorized as described in section 4723.438 of the 1458  
Revised Code, clinical nurse specialists, and certified nurse 1459  
practitioners; 1460

(3) Information that is required to be reported under 1461  
rules based on divisions (E) (1) and (2) of this section and that 1462  
is a medical record is not a public record under section 149.43 1463  
of the Revised Code and shall not be released, except in 1464  
aggregate statistical form. 1465

(F) Environmental sampling techniques for use in 1466  
collecting samples of air, water, dust, paint, and other 1467  
materials; 1468

(G) Requirements for a respiratory protection plan 1469  
prepared in accordance with section 3742.07 of the Revised Code; 1470

(H) Requirements under which a manufacturer of 1471

encapsulants must demonstrate evidence of the safety and 1472  
durability of its encapsulants by providing results of testing 1473  
from an independent laboratory indicating that the encapsulants 1474  
meet the standards developed by the "E06.23.30 task group on 1475  
encapsulants," which is the task group of the lead hazards 1476  
associated with buildings subcommittee of the performance of 1477  
buildings committee of the American society for testing and 1478  
materials. 1479

**Sec. 3742.05.** (A) (1) The director of health shall issue 1480  
lead inspector, lead abatement contractor, lead risk assessor, 1481  
lead abatement project designer, lead abatement worker, and 1482  
clearance technician licenses. Except as provided in division 1483  
(C) of this section, the director shall issue a license to an 1484  
applicant who meets all of the following requirements: 1485

(a) Submits an application to the director on a form 1486  
prescribed by the director; 1487

(b) Meets the licensing and training requirements 1488  
established in rules adopted under section 3742.03 of the 1489  
Revised Code; 1490

(c) Successfully completes the licensing examination for 1491  
the applicant's area of expertise administered under section 1492  
3742.08 of the Revised Code and any training required by the 1493  
director under that section; 1494

(d) Pays the applicable license fee as follows: 1495

(i) For a lead inspector or lead risk assessor license, 1496  
two hundred dollars; 1497

(ii) For a lead abatement contractor or lead abatement 1498  
project designer license, two hundred fifty dollars; 1499

(iii) For a clearance technician license, one hundred 1500  
fifty dollars; 1501

(iv) For a lead abatement worker license, the fee 1502  
established in rules adopted under section 3742.03 of the 1503  
Revised Code~~+~~. 1504

(e) Provides the applicant's social security number and 1505  
any information the director may require to demonstrate the 1506  
applicant's compliance with this chapter and the rules adopted 1507  
under it. 1508

(2) An individual may hold more than one license issued 1509  
under this section, but a separate application is required for 1510  
each license. 1511

(B) A license issued under this section expires two years 1512  
after the date of issuance. The director shall renew a license 1513  
in accordance with the standard renewal procedure set forth in 1514  
Chapter 4745. of the Revised Code, if the licensee does all of 1515  
the following: 1516

(1) Continues to meet the requirements of division (A) of 1517  
this section; 1518

(2) Demonstrates compliance with procedures to prevent 1519  
public exposure to lead hazards and for worker protection during 1520  
lead abatement projects established in rules adopted under 1521  
section 3742.03 of the Revised Code; 1522

(3) Meets the record-keeping and reporting requirements 1523  
for lead abatement projects or clearance examinations 1524  
established in rules adopted under section 3742.03 of the 1525  
Revised Code; 1526

(4) Pays the applicable license renewal fee as follows: 1527

<u>(a) For a lead inspector or lead risk assessor license,</u>	1528
<u>two hundred dollars;</u>	1529
<u>(b) For a lead abatement contractor or lead abatement</u>	1530
<u>project designer license, two hundred fifty dollars;</u>	1531
<u>(c) For a clearance technician license, one hundred fifty</u>	1532
<u>dollars;</u>	1533
<u>(d) For a lead abatement worker license, the fee</u>	1534
established in rules adopted under section 3742.03 of the	1535
Revised Code.	1536
(C) The director shall issue a lead inspector, lead	1537
abatement contractor, lead risk assessor, lead abatement project	1538
designer, lead abatement worker, or clearance technician license	1539
in accordance with Chapter 4796. of the Revised Code to an	1540
applicant if either of the following applies:	1541
(1) The applicant holds a license in another state.	1542
(2) The applicant has satisfactory work experience, a	1543
government certification, or a private certification as	1544
described in that chapter as a lead inspector, lead abatement	1545
contractor, lead risk assessor, lead abatement project designer,	1546
lead abatement worker, or clearance technician in a state that	1547
does not issue one or more of those licenses.	1548
<b>Sec. 3748.01.</b> As used in this chapter:	1549
(A) "Byproduct material" means either of the following:	1550
(1) Any radioactive material, except special nuclear	1551
material, yielded in or made radioactive by exposure to	1552
radiation incident to the process of producing or utilizing	1553
special nuclear material;	1554

(2) The tailings or wastes produced by the extraction or 1555  
concentration of uranium or thorium from any ore processed 1556  
primarily for its source material content. 1557

(B) ~~"Certified radiation~~ Radiation expert" means an 1558  
individual who ~~has complied with all of the following:~~ 1559

~~(1) Applied to the director of health for certification as~~ 1560  
~~a radiation expert under section 3748.12 of the Revised Code;~~ 1561

~~(2) Met minimum education and experience requirements~~ 1562  
~~established in rules adopted under division (C) of section~~ 1563  
~~3748.04 of the Revised Code;~~ 1564

~~(3) Been granted a certificate as a radiation expert by~~ 1565  
~~the director under section 3748.12 of the Revised Code~~possesses 1566  
a valid, unexpired certification from the American board of 1567  
radiology or American board of medical physics that qualifies 1568  
the individual to develop, provide periodic review of, and 1569  
conduct audits of a quality assurance program. 1570

(C) "Closure" or "site closure" refers to a facility for 1571  
the disposal of low-level radioactive waste or a byproduct 1572  
material site, as "byproduct material" is defined in division 1573  
(A) (2) of this section, and means all activities performed at a 1574  
licensed operation, such as stabilization and contouring, to 1575  
ensure that the site where the operation occurred is in a stable 1576  
condition so that only minor custodial care, surveillance, and 1577  
monitoring are necessary at the site following the termination 1578  
of the licensed operation. 1579

(D) "Decommissioning" means to safely remove any licensed 1580  
operation from service and reduce residual radioactivity to a 1581  
level that permits release of the licensee's property for 1582  
unrestricted use. With regard to a facility for the disposal of 1583

low-level radioactive waste or a byproduct material site, as 1584  
"byproduct material" is defined in division (A) (2) of this 1585  
section, "decommissioning" does not include the reduction of 1586  
residual radioactivity to a level that permits release of the 1587  
facility for unrestricted use. 1588

(E) "Director of health" includes a designee or authorized 1589  
representative of the director. 1590

(F) "Disposal," with regard to low-level radioactive 1591  
waste, means the permanent isolation of that waste in accordance 1592  
with requirements established by the United States nuclear 1593  
regulatory commission or the licensing agreement state. 1594

(G) "Disposal site" means that portion of a facility that 1595  
is used for the disposal of low-level radioactive waste and that 1596  
consists of disposal units and a buffer zone. "Disposal unit" 1597  
means a discrete portion of such a facility into which low-level 1598  
radioactive waste is placed for disposal. 1599

(H) (1) Except as provided in division (H) (2) of this 1600  
section, "facility" means the state, any political subdivision, 1601  
person, public or private institution, or group, or any unit of 1602  
one of those entities, but does not include the federal 1603  
government or any of its agencies. 1604

(2) For the purposes of the disposal of low-level 1605  
radioactive waste, "facility" has the same meaning as in section 1606  
3747.01 of the Revised Code. 1607

(I) "Handle" means receive, possess, use, store, transfer, 1608  
install, service, or dispose of sources of radiation unless 1609  
possession is solely for the purpose of transportation. 1610

(J) "Handler" means a facility that handles sources of 1611  
radiation unless possession is solely for the purpose of 1612

transportation. 1613

(K) "Inspection" means an official review, examination, or 1614  
observation, including, without limitation, tests, surveys, and 1615  
monitoring, that is used to determine compliance with rules, 1616  
orders, requirements, and conditions of the department of health 1617  
and that is conducted by the director of health. 1618

(L) "Low-level radioactive waste" has the same meaning as 1619  
in section 3747.01 of the Revised Code with regard to the 1620  
disposal of low-level radioactive waste. In regard to regulatory 1621  
control at locations other than a disposal facility, "low-level 1622  
radioactive waste" has the same meaning as in 42 U.S.C.A. 2021b. 1623

(M) "Quality assurance program" means a program providing 1624  
for verification by written procedures such as testing, 1625  
auditing, and inspection to ensure that deficiencies, 1626  
deviations, defective equipment, or unsafe practices, or a 1627  
combination thereof, relating to the use, disposal, management, 1628  
or manufacture of radiation sources are identified, promptly 1629  
corrected, and reported to the appropriate regulatory 1630  
authorities. 1631

(N) "Radiation" means ionizing and nonionizing radiation. 1632

(1) "Ionizing radiation" means gamma rays and X-rays, 1633  
alpha and beta particles, high-speed electrons, neutrons, 1634  
protons, and other nuclear particles, but does not include sound 1635  
or radio waves or visible, infrared, or ultraviolet light. 1636

(2) "Nonionizing radiation" means any electromagnetic 1637  
radiation, other than ionizing electromagnetic radiation, or any 1638  
sonic, ultrasonic, or infrasonic wave. 1639

(O) "Radioactive material" means any solid, liquid, or 1640  
gaseous material that emits ionizing radiation spontaneously. 1641

"Radioactive material" includes accelerator-produced and 1642  
naturally occurring materials and byproduct, source, and special 1643  
nuclear material. 1644

(P) "Radiation-generating equipment" means any 1645  
manufactured product or device, or component of such a product 1646  
or device, or any machine or system that during operation can 1647  
generate or emit radiation, except those that emit radiation 1648  
only from radioactive material. "Radiation-generating equipment" 1649  
does not include either of the following: 1650

(1) Diathermy machines; 1651

(2) Microwave ovens, including food service microwave 1652  
ovens used for commercial and industrial uses, television 1653  
receivers, electric lamps, and other household appliances and 1654  
products that generate very low levels of radiation. 1655

(Q) "Source material" means uranium, thorium, or any 1656  
combination thereof in any physical or chemical form, or any 1657  
ores that contain by weight at least one-twentieth of one per 1658  
cent of uranium, thorium, or any combination thereof. "Source 1659  
material" does not include special nuclear material. 1660

(R) "Source of radiation" means radioactive material or 1661  
radiation-generating equipment. 1662

(S) "Special nuclear material" means either of the 1663  
following: 1664

(1) Plutonium, uranium 233, uranium enriched in the 1665  
isotope 233 or in the isotope 235, and any other material that 1666  
the United States nuclear regulatory commission determines to be 1667  
special nuclear material, but does not include source material 1668  
pursuant to section 51 of the "Atomic Energy Act of 1954," 68 1669  
Stat. 919, 42 U.S.C.A. 2071. 1670

(2) Except for any source material, any material 1671  
artificially enriched by any of the materials identified in 1672  
division (S)(1) of this section. 1673

(T) "Storage" means the retention of radioactive 1674  
materials, including low-level radioactive waste, prior to 1675  
disposal in a manner that allows for surveillance, control, and 1676  
subsequent retrieval. 1677

(U) "Medical practitioner" means a person who is 1678  
authorized pursuant to Chapter 4715. of the Revised Code to 1679  
practice dentistry; pursuant to Chapter 4731. of the Revised 1680  
Code to practice medicine and surgery, osteopathic medicine and 1681  
surgery, or podiatric medicine and surgery; or pursuant to 1682  
Chapter 4734. of the Revised Code to practice chiropractic. 1683

(V) "Medical-practitioner group" means a corporation, 1684  
partnership, or other business entity, other than a hospital as 1685  
defined in section 3727.01 of the Revised Code, consisting of 1686  
medical practitioners. 1687

(W) "Naturally occurring radioactive material" means 1688  
material that contains any nuclide that is radioactive in its 1689  
natural physical state. "Naturally occurring radioactive 1690  
material" does not include source material, byproduct material, 1691  
or special nuclear material. 1692

(X) "Technologically enhanced naturally occurring 1693  
radioactive material" means naturally occurring radioactive 1694  
material with radionuclide concentrations that are increased by 1695  
or as a result of past or present human activities. 1696  
"Technologically enhanced naturally occurring radioactive 1697  
material" does not include drill cuttings, natural background 1698  
radiation, byproduct material, or source material. 1699

(Y) "Drill cuttings" means the soil, rock fragments, and pulverized material that are removed from a borehole and that may include a de minimus amount of fluid that results from a drilling process.

**Sec. 3748.04.** The director of health, in accordance with Chapter 119. of the Revised Code, shall adopt and may amend or rescind rules doing all of the following:

(A) Listing types of radioactive material for which licensure by its handler is required and types of radiation-generating equipment for which registration by its handler is required, and establishing requirements governing them. Rules adopted under division (A) of this section shall be compatible with applicable federal regulations and shall establish all of the following, without limitation:

(1) Requirements governing both of the following:

(a) The licensing and inspection of handlers of radioactive material. Standards established in rules adopted under division (A) (1) (a) of this section regarding byproduct material or any activity that results in the production of that material, to the extent practicable, shall be equivalent to or more stringent than applicable standards established by the United States nuclear regulatory commission.

(b) The registration and inspection of handlers of radiation-generating equipment. Standards established in rules adopted under division (A) (1) (b) of this section, to the extent practicable, shall be equivalent to applicable standards established by the food and drug administration in the United States department of health and human services.

(2) Identification of and requirements governing

possession and use of specifically licensed and generally 1729  
licensed quantities of radioactive material as either sealed 1730  
sources or unsealed sources; 1731

(3) A procedure for the issuance of and the frequency of 1732  
renewal of the licenses of handlers of radioactive material, 1733  
other than a license for a facility for the disposal of low- 1734  
level radioactive waste, and of the certificates of registration 1735  
of handlers of radiation-generating equipment; 1736

(4) Procedures for suspending and revoking the licenses of 1737  
handlers of radioactive material and the certificates of 1738  
registration of handlers of radiation-generating equipment; 1739

(5) Criteria to be used by the director of health in 1740  
amending the license of a handler of radioactive material or the 1741  
certificate of registration of a handler of radiation-generating 1742  
equipment subsequent to its issuance; 1743

(6) Criteria for achieving and maintaining compliance with 1744  
this chapter and rules adopted under it by licensees and 1745  
registrants; 1746

(7) Criteria governing environmental monitoring of 1747  
licensed and registered activities to assess compliance with 1748  
this chapter and rules adopted under it; 1749

(8) Fees for both of the following: 1750

(a) The licensing of handlers, other than facilities for 1751  
the disposal of low-level radioactive waste, of radioactive 1752  
material; 1753

(b) The registration of handlers, other than facilities 1754  
that are, or are operated by, medical practitioners or medical- 1755  
practitioner groups, of radiation-generating equipment. 1756

(9) A fee schedule for both of the following that includes 1757  
fees for reviews, conducted during an inspection, of shielding 1758  
plans or the adequacy of shielding: 1759

(a) The inspection of handlers of radioactive material; 1760

(b) The inspection of handlers, other than facilities that 1761  
are, or are operated by, medical practitioners or medical- 1762  
practitioner groups, of radiation-generating equipment. 1763

(B) (1) Identifying sources of radiation, circumstances of 1764  
possession, use, or disposal of sources of radiation, and levels 1765  
of radiation that constitute an unreasonable or unnecessary risk 1766  
to human health or the environment; 1767

(2) Establishing requirements for the achievement and 1768  
maintenance of compliance with standards for the receipt, 1769  
possession, use, storage, installation, transfer, servicing, and 1770  
disposal of sources of radiation to prevent levels of radiation 1771  
that constitute an unreasonable or unnecessary risk to human 1772  
health or the environment; 1773

(3) Requiring the maintenance of records on the receipt, 1774  
use, storage, transfer, and disposal of radioactive material, 1775  
including technologically enhanced naturally occurring 1776  
radioactive material, and on the radiological safety aspects of 1777  
the use and maintenance of radiation-generating equipment. The 1778  
rules adopted under division (B) (3) of this section shall not 1779  
require maintenance of records regarding naturally occurring 1780  
radioactive material. 1781

In adopting rules under divisions (A) and (B) of this 1782  
section, the director shall do the following: use standards no 1783  
less stringent than the regulations adopted by the United States 1784  
nuclear regulatory commission, the United States environmental 1785

protection agency, and the United States department of health 1786  
and human services; consider reports of the national council on 1787  
radiation protection and measurements and the relevant standards 1788  
of the American national standards institute; and use the 1789  
"Suggested State Regulations for Control of Radiation" prepared 1790  
by the conference of radiation control program directors, inc., 1791  
except that the director may deviate from those regulations if 1792  
the director determines that doing so is warranted and does not 1793  
pose a health, environmental, or safety risk. 1794

~~(C) Establishing fees, procedures, and requirements for~~ 1795  
~~certification as a radiation expert, including all of the~~ 1796  
~~following, without limitation:~~ 1797

~~(1) Minimum training and experience requirements;~~ 1798

~~(2) Procedures for applying for certification;~~ 1799

~~(3) Procedures for review of applications and issuance of~~ 1800  
~~certificates;~~ 1801

~~(4) Procedures for suspending and revoking certification.~~ 1802

~~(D)~~ Establishing a schedule for inspection of sources of 1803  
radiation and their shielding and surroundings; 1804

~~(E)~~ (D) Establishing the responsibilities of a radiation 1805  
expert; 1806

~~(F)~~ (E) Establishing criteria for quality assurance 1807  
programs for licensees of radioactive material and registrants 1808  
of radiation-generating equipment; 1809

~~(G)~~ (F) Establishing fees to be paid by any facility that, 1810  
on September 8, 1995, holds a license from the United States 1811  
nuclear regulatory commission in order to provide moneys 1812  
necessary for the transfer of licensing and other regulatory 1813

authority from the commission to the state pursuant to section 1814  
3748.03 of the Revised Code. Rules adopted under this division 1815  
shall stipulate that fees so established do not apply to any 1816  
functions dealing specifically with a facility for the disposal 1817  
of low-level radioactive waste. Fees collected under this 1818  
division shall be deposited into the state treasury to the 1819  
credit of the general operations fund created in section 3701.83 1820  
of the Revised Code. The fees shall be used solely to administer 1821  
and enforce this chapter and rules adopted under it. 1822

~~(H)~~ (G) Establishing fees to be collected annually from 1823  
generators of low-level radioactive waste, which shall be based 1824  
upon the volume and radioactivity of the waste generated and the 1825  
costs of administering low-level radioactive waste management 1826  
activities under this chapter and rules adopted under it. All 1827  
fees collected under this division shall be deposited into the 1828  
state treasury to the credit of the general operations fund 1829  
created in section 3701.83 of the Revised Code. The fees shall 1830  
be used solely to administer and enforce this chapter and rules 1831  
adopted under it. Any fee required under this division that 1832  
remains unpaid on the ninety-first day after the original 1833  
invoice date shall be assessed an additional amount equal to ten 1834  
per cent of the original fee. 1835

~~(I)~~ (H) Establishing requirements governing closure, 1836  
decontamination, decommissioning, reclamation, and long-term 1837  
surveillance and care of a facility licensed under this chapter 1838  
and rules adopted under it. Rules adopted under division ~~(I)~~ (H) 1839  
of this section shall include, without limitation, all of the 1840  
following: 1841

(1) Standards and procedures to ensure that a licensee 1842  
prepares a decommissioning funding plan that provides an 1843

adequate financial guaranty to permit the completion of all 1844  
requirements governing the closure, decontamination, 1845  
decommissioning, and reclamation of sites, structures, and 1846  
equipment used in conjunction with a licensed activity; 1847

(2) For licensed activities where radioactive material 1848  
that will require surveillance or care is likely to remain at 1849  
the site after the licensed activities cease, as indicated in 1850  
the application for the license submitted under section 3748.07 1851  
of the Revised Code, standards and procedures to ensure that the 1852  
licensee prepares an additional decommissioning funding plan for 1853  
long-term surveillance and care, before termination of the 1854  
license, that provides an additional adequate financial guaranty 1855  
as necessary to provide for that surveillance and care; 1856

(3) For the purposes of the decommissioning funding plans 1857  
required in rules adopted under divisions ~~(I)-(1)~~ (H) (1) and (2) 1858  
of this section, the types of acceptable financial guaranties, 1859  
which shall include bonds issued by fidelity or surety companies 1860  
authorized to do business in the state, certificates of deposit, 1861  
deposits of government securities, irrevocable letters or lines 1862  
of credit, trust funds, escrow accounts, or other similar types 1863  
of arrangements, but shall not include any arrangement that 1864  
constitutes self-insurance; 1865

(4) A requirement that the decommissioning funding plans 1866  
required in rules adopted under divisions ~~(I)-(1)~~ (H) (1) and (2) 1867  
of this section contain financial guaranties in amounts 1868  
sufficient to ensure compliance with any standards established 1869  
by the United States nuclear regulatory commission, or by the 1870  
state if it has become an agreement state pursuant to section 1871  
3748.03 of the Revised Code, pertaining to closure, 1872  
decontamination, decommissioning, reclamation, and long-term 1873

surveillance and care of licensed activities and sites of 1874  
licensees. 1875

Standards established in rules adopted under division ~~(I)~~ 1876  
(H) of this section regarding any activity that resulted in the 1877  
production of byproduct material, as defined in division (A) (2) 1878  
of section 3748.01 of the Revised Code, to the extent 1879  
practicable, shall be equivalent to or more stringent than 1880  
standards established by the United States nuclear regulatory 1881  
commission for sites at which ores were processed primarily for 1882  
their source material content and at which byproduct material, 1883  
as defined in division (A) (2) of section 3748.01 of the Revised 1884  
Code, is deposited. 1885

~~(J)~~ (I) Establishing criteria governing inspections of a 1886  
facility for the disposal of low-level radioactive waste, 1887  
including, without limitation, the establishment of a resident 1888  
inspector program at such a facility; 1889

~~(K)~~ (J) Establishing requirements and procedures governing 1890  
the filing of complaints under section 3748.16 of the Revised 1891  
Code, including, without limitation, those governing 1892  
intervention in a hearing held under division (B) (3) of that 1893  
section; 1894

~~(I)~~ (K) Establishing requirements governing technologically 1895  
enhanced naturally occurring radioactive material. Rules adopted 1896  
under this division shall not apply to naturally occurring 1897  
radioactive material. 1898

**Sec. 3748.05.** (A) The director of health shall do all of 1899  
the following: 1900

(1) Administer and enforce this chapter and the rules 1901  
adopted under it; 1902

(2) Collect and make available information relating to 1903  
sources of radiation; 1904

(3) Ensure the review of plans and specifications, 1905  
submitted in accordance with rules adopted by the director, for 1906  
the control of radiation that constitutes an unreasonable or 1907  
unnecessary risk to human health or the environment; 1908

(4) Review reports of quality assurance audits performed 1909  
by ~~certified~~ radiation experts under this chapter and the rules 1910  
adopted under it; 1911

(5) Ensure that programs for the control of sources of 1912  
radiation are developed with due regard for compatibility with 1913  
federal programs for the regulation of byproduct, source, and 1914  
special nuclear materials; 1915

(6) In accordance with Chapter 119. of the Revised Code, 1916  
adopt, and subsequently may amend and rescind, rules providing 1917  
for the administrative assessment and collection of monetary 1918  
penalties for failure by any facility licensed under this 1919  
chapter and rules adopted under it to comply with this chapter 1920  
and those rules. The director may require the submission of 1921  
compliance schedules and other related information. Any orders 1922  
issued or payments or other requirements imposed pursuant to 1923  
rules adopted under division (A) (6) of this section shall not 1924  
affect any civil or criminal enforcement proceeding brought 1925  
under this chapter or any other provision of state or local law. 1926  
Moneys collected as administrative penalties imposed pursuant to 1927  
rules adopted under division (A) (6) of this section shall be 1928  
deposited in the state treasury to the credit of the general 1929  
operations fund created in section 3701.83 of the Revised Code. 1930  
The moneys shall be used solely to administer and enforce this 1931  
chapter and the rules adopted under it. 1932

(7) Maintain files of both of the following:	1933
(a) All license and registration applications, issuances,	1934
denials, amendments, renewals, suspensions, and revocations and	1935
any administrative or judicial action pertaining to them;	1936
(b) All rules adopted under this chapter, or proposed to	1937
be adopted, relating to the regulation of sources of radiation	1938
and proceedings on them.	1939
(B) The director may do any or all of the following:	1940
(1) Advise, consult, and cooperate with other agencies of	1941
the state, the federal government, other states, interstate	1942
agencies, political subdivisions, industries, and other affected	1943
groups in furtherance of the purposes of this chapter and the	1944
rules adopted under it;	1945
(2) Accept and administer grants from the federal	1946
government and from other sources, public or private, for	1947
carrying out any of the director's functions under this chapter	1948
and the rules adopted under it;	1949
(3) Encourage, participate in, or conduct studies,	1950
investigations, training, research, and demonstrations relating	1951
to the detection and control of radiation that constitutes an	1952
unreasonable or unnecessary risk to human health or the	1953
environment, the measurement of radiation, the evaluation of	1954
potential effects on health of cumulative or acute exposure to	1955
radiation, the development and improvement of methods to limit	1956
and reduce the generation of radioactive waste, and related	1957
problems as the director considers necessary or advisable;	1958
(4) In accordance with Chapter 119. of the Revised Code,	1959
adopt rules establishing criteria under which other agencies of	1960
the state or private entities may perform inspections of x-ray	1961

equipment at registered dental facilities at the request of the 1962  
facility or pursuant to contract with the department; 1963

(5) Exercise all incidental powers necessary to carry out 1964  
the purposes of this chapter and the rules adopted under it, 1965  
including, without limitation, the issuance of orders. 1966

**Sec. 3748.11.** (A) A facility that is licensed under this 1967  
chapter and rules adopted under it, including a facility that is 1968  
licensed for the disposal of low-level radioactive waste, shall 1969  
comply with all applicable rules adopted under division ~~(I)~~(H) 1970  
of section 3748.04 of the Revised Code governing closure, 1971  
decontamination, decommissioning, reclamation, and long-term 1972  
surveillance and care of its licensed activity. 1973

(B) Unless there is federal jurisdiction for oversight of 1974  
closure, decontamination, decommissioning, reclamation, and 1975  
long-term surveillance and care of a licensed activity, those 1976  
actions are the responsibility of the state. 1977

(C) When the director of health finds that a licensee has 1978  
failed to comply with all requirements governing closure, 1979  
decontamination, decommissioning, and reclamation of its 1980  
licensed activity, the director shall make a finding of that 1981  
fact and declare any financial guaranty provided for in the 1982  
licensee's decommissioning funding plan prepared in accordance 1983  
with rules adopted under division ~~(I)~~~~(1)~~(H) (1) of section 1984  
3748.04 of the Revised Code forfeited in the amount established 1985  
by the director. The director shall certify the total forfeiture 1986  
to the attorney general, who shall collect the amount. 1987

Except as otherwise provided in this section, moneys 1988  
collected from forfeitures under this division shall be 1989  
deposited into the state treasury to the credit of the radiation 1990

site closure and reclamation fund, which is hereby created. All 1991  
investment earnings of the fund shall be credited to the fund. 1992  
The director shall use moneys in the fund exclusively to 1993  
complete actions necessary to comply with requirements governing 1994  
closure, decontamination, decommissioning, and reclamation 1995  
regarding licensed activities for which financial guaranties 1996  
have been forfeited under this division. The director may enter 1997  
into contracts for those purposes. 1998

(D) When the director finds that a licensee to whom 1999  
standards and procedures established in rules adopted under 2000  
division ~~(I)(2)~~ (H)(2) of section 3748.04 of the Revised Code 2001  
apply has failed to comply with long-term surveillance and care 2002  
requirements established in rules adopted under division (I) of 2003  
that section, the director shall make a finding of that fact and 2004  
declare any financial guaranty provided for in the licensee's 2005  
decommissioning funding plan prepared in accordance with rules 2006  
adopted under division (I)(2) of that section forfeited in the 2007  
amount established by the director. The director shall certify 2008  
the total forfeiture to the attorney general, who shall collect 2009  
the amount. 2010

Except as otherwise provided in this section, moneys 2011  
collected from forfeitures under this division shall be 2012  
deposited into the state treasury to the credit of the radiation 2013  
long-term care fund, which is hereby created. All investment 2014  
earnings of the fund shall be credited to the fund. The director 2015  
shall use moneys in the fund exclusively to complete actions 2016  
necessary to comply with requirements governing long-term 2017  
surveillance, care, and maintenance regarding licensed 2018  
activities for which financial guaranties have been forfeited 2019  
under this division. The director may enter into contracts for 2020  
those purposes. 2021

(E) Moneys collected from the forfeiture of any financial 2022  
guaranty under division (C) or (D) of this section by the 2023  
licensee of a facility for the disposal of low-level radioactive 2024  
waste shall be deposited into the state treasury to the credit 2025  
of the long-term care fund created pursuant to section 3747.01 2026  
of the Revised Code. 2027

**Sec. 3748.13.** (A) The director of health shall inspect 2028  
sources of radiation for which licensure or registration by the 2029  
handler is required, and the sources' shielding and 2030  
surroundings, according to the schedule established in rules 2031  
adopted under division ~~(D)~~(C) of section 3748.04 of the Revised 2032  
Code. In accordance with rules adopted under section 3748.04 of 2033  
the Revised Code, the director shall inspect all records and 2034  
operating procedures of handlers that install or service sources 2035  
of radiation and all sources of radiation for which licensure of 2036  
radioactive material or registration of radiation-generating 2037  
equipment by the handler is required. The director may make 2038  
other inspections upon receiving complaints or other evidence of 2039  
a violation of this chapter or rules adopted under it. 2040

The director shall require any hospital registered under 2041  
division (A) of section 3701.07 of the Revised Code to develop 2042  
and maintain a quality assurance program for all sources of 2043  
radiation-generating equipment. ~~A certified~~ The hospital shall 2044  
designate a radiation expert shall to conduct oversight and 2045  
maintenance of the program and maintain a record of such 2046  
designation. The radiation expert shall file a report of audits 2047  
of the program with the director on forms prescribed by the 2048  
director. The audit reports shall become part of the inspection 2049  
record. 2050

(B) (1) Except as provided in division (B) (2) of this 2051

section, a facility shall pay inspection fees for radioactive 2052  
material and radiation-generating equipment according to the 2053  
schedule and categories established in rules adopted under 2054  
division (A) (9) of section 3748.04 of the Revised Code. 2055

(2) A facility that is, or is operated by, a medical 2056  
practitioner or medical-practitioner group shall pay inspection 2057  
fees for radiation-generating equipment according to the 2058  
following schedule and categories: 2059  
2060

	1	2
A	First dental x-ray tube	\$310.00
B	Each additional dental x-ray tube at the same location	\$154.00
C	First medical x-ray tube	\$614.00
D	Each additional medical x-ray tube at the same location	\$326.00
E	Each unit of ionizing radiation-generating equipment capable of operating at or above 250 kilovoltage peak	\$1,220.00
F	First nonionizing radiation-generating equipment of any kind	\$614.00
G	Each additional nonionizing radiation- generating equipment of any kind at the same location	\$326.00

(C) (1) Except as provided in division (C) (2) of this 2061

section, the fee for the inspection of a facility that proposes  
to handle radioactive material or radiation-generating equipment  
and is not licensed or registered, and for which no license or  
registration application is pending at the time of inspection,  
is four hundred seventy-four dollars plus the applicable fee  
specified in rules adopted under division (A) (9) of section  
3748.04 of the Revised Code.

(2) For a facility that is, or is operated by, a medical  
practitioner or medical-practitioner group and proposes to  
handle radiation-generating equipment, the fee for an inspection  
if the facility is not licensed or registered, and no license or  
registration is pending at the time of inspection, is four  
hundred seventy-four dollars plus the fee applicable under the  
schedule in division (B) (2) of this section.

(D) (1) Except as provided in division (D) (2) of this  
section, for a facility that handles radioactive material or  
radiation-generating equipment, the fee for an inspection to  
determine whether violations cited in a previous inspection have  
been corrected is the amount specified in rules adopted under  
division (A) (9) of section 3748.04 of the Revised Code.

(2) For a facility that is, or is operated by, a medical  
practitioner or medical-practitioner group and handles  
radiation-generating equipment, the fee for an inspection to  
determine whether violations cited in a previous inspection have  
been corrected is fifty per cent of the applicable fee under the  
schedule in division (B) (2) of this section.

(E) The director may conduct a review of shielding plans  
or the adequacy of shielding on the request of a licensee or  
registrant or an applicant for licensure or registration or  
during an inspection when the director considers a review to be

necessary. 2092

(1) Except as provided in division (E) (2) of this section, 2093  
the fee for the review is the applicable amount specified in 2094  
rules adopted under division (A) (9) of section 3748.04 of the 2095  
Revised Code. 2096

(2) For a facility that is, or is operated by, a medical 2097  
practitioner or medical-practitioner group and handles or 2098  
proposes to handle radiation-generating equipment, the fee for 2099  
the review is seven hundred sixty-two dollars for each room 2100  
where a source of radiation is used and is in addition to any 2101  
other fee applicable under the schedule in division (B) (2) of 2102  
this section. 2103

(F) All fees shall be paid to the department of health no 2104  
later than thirty days after the invoice for the fee is mailed. 2105  
Fees shall be deposited in the general operations fund created 2106  
in section 3701.83 of the Revised Code. The fees shall be used 2107  
solely to administer and enforce this chapter and rules adopted 2108  
under it. 2109

(G) Any fee required under this section that remains 2110  
unpaid on the ninety-first day after the original invoice date 2111  
shall be assessed an additional amount equal to ten per cent of 2112  
the original fee. 2113

(H) If the director determines that a board of health of a 2114  
city or general health district is qualified to conduct 2115  
inspections of radiation-generating equipment, the director may 2116  
delegate to the board, by contract, the authority to conduct 2117  
such inspections. In making a determination of the 2118  
qualifications of a board of health to conduct those 2119  
inspections, the director shall evaluate the credentials of the 2120

individuals who are to conduct the inspections of radiation- 2121  
generating equipment and the radiation detection and measuring 2122  
equipment available to them for that purpose. If a contract is 2123  
entered into, the board shall have the same authority to make 2124  
inspections of radiation-generating equipment as the director 2125  
has under this chapter and rules adopted under it. The contract 2126  
shall stipulate that only individuals approved by the director 2127  
as qualified shall be permitted to inspect radiation-generating 2128  
equipment under the contract's provisions. The contract shall 2129  
provide for such compensation for services as is agreed to by 2130  
the director and the board of health of the contracting health 2131  
district. The director may reevaluate the credentials of the 2132  
inspection personnel and their radiation detecting and measuring 2133  
equipment as often as the director considers necessary and may 2134  
terminate any contract with the board of health of any health 2135  
district that, in the director's opinion, is not satisfactorily 2136  
performing the terms of the contract. 2137

(I) The director may enter at all reasonable times upon 2138  
any public or private property to determine compliance with this 2139  
chapter and rules adopted under it. 2140

**Sec. 3748.16.** (A) (1) The director of health shall conduct 2141  
regular inspections of the facility for the disposal of low- 2142  
level radioactive waste in accordance with rules adopted under 2143  
division ~~(J)~~ (I) of section 3748.04 of the Revised Code and, in 2144  
accordance with those rules, shall provide for at least one 2145  
resident inspector at the facility. 2146

(2) Concentrations of radioactive materials released into 2147  
the environment during operation, closure, institutional 2148  
control, and long-term care of the facility shall be kept as low 2149  
as are reasonably achievable and shall not exceed levels 2150

established in rules adopted under division (A) (7) of section 2151  
3748.04 of the Revised Code or the standards set forth in 10 2152  
C.F.R. 61.41, whichever are more stringent. The director shall 2153  
establish a program to monitor concentrations of radioactive 2154  
materials so released and shall conduct an investigation if 2155  
monitoring results indicate concentrations of radioactive 2156  
materials at levels that are greater than the established 2157  
background for a monitoring point to determine the source of the 2158  
increased radiation level. 2159

(B) (1) An officer of an agency of the state or of a 2160  
political subdivision, acting in the officer's representative 2161  
capacity, or any person may file a written complaint with the 2162  
director, in accordance with rules adopted under division ~~(K)~~ (J) 2163  
of section 3748.04 of the Revised Code, regarding the failure or 2164  
alleged failure of the facility for the disposal of low-level 2165  
radioactive waste to comply with health or safety requirements 2166  
established under this chapter or Chapter 3747. of the Revised 2167  
Code or rules adopted under them. The complaint shall be 2168  
verified by an affidavit of the complainant or the complainant's 2169  
agent or attorney. The affidavit may be made before any person 2170  
authorized by law to administer oaths and shall be signed by the 2171  
officer or person who makes it. The person before whom it was 2172  
taken shall certify that it was sworn to before that person and 2173  
signed in that person's presence, and the certificate signed 2174  
officially by that person shall be evidence that the affidavit 2175  
was made, that the name of the officer or person was written by 2176  
that officer or person, and that the signer was that officer or 2177  
person. 2178

(2) Upon receipt of a complaint under division (B) (1) of 2179  
this section, the director shall cause a prompt investigation to 2180  
be conducted as is reasonably necessary to determine whether the 2181

facility has failed or is failing to comply with the health or 2182  
safety requirements identified in the complaint. The 2183  
investigation shall include a discussion of the complaint with 2184  
the contractor. 2185

(3) The director may hold a hearing on the complaint. Not 2186  
less than twenty days before the hearing, the director shall 2187  
cause publication of a notice of the hearing in the county in 2188  
which the facility is located and shall mail written notice by 2189  
certified mail, return receipt requested, to the complainant and 2190  
to the contractor. The hearing shall be conducted before the 2191  
director or a hearing examiner designated by the director. The 2192  
department of health and the contractor shall be parties. The 2193  
complainant may participate as a party by filing with the 2194  
director, at any time prior to the hearing, a written notice of 2195  
the complainant's intent to participate. Any other person may be 2196  
permitted to intervene upon the granting by the director or 2197  
hearing examiner of a motion to intervene filed in accordance 2198  
with rules adopted under division ~~(K)~~ (J) of section 3748.04 of 2199  
the Revised Code. 2200

If the director does not hold a hearing, the director 2201  
shall provide an opportunity to the complainant and the 2202  
contractor to attend a conference with the director concerning 2203  
the complaint. 2204

(4) Following the completion of the investigation under 2205  
division (B) (2) of this section and the hearing or conference 2206  
under division (B) (3) of this section, if the director 2207  
determines that the facility is in compliance with the health or 2208  
safety requirements identified in the complaint, the director 2209  
shall dismiss the complaint. If the director determines that the 2210  
facility is not in compliance with those requirements, the 2211

director shall issue an order under division (B) (4) of section 2212  
3748.05 of the Revised Code requiring the contractor to bring 2213  
the facility into compliance and to submit a written discussion 2214  
of how that will be accomplished. The director also may do any 2215  
or all of the following: 2216

(a) Suspend or revoke the facility's license in accordance 2217  
with rules adopted under division (A) of section 3748.04 of the 2218  
Revised Code; 2219

(b) Issue an order assessing an administrative penalty in 2220  
accordance with rules adopted under division (A) (6) of section 2221  
3748.05 of the Revised Code; 2222

(c) Request the attorney general, in writing, to commence 2223  
appropriate legal proceedings, including a civil action for 2224  
imposition of a civil penalty under section 3748.19 of the 2225  
Revised Code and criminal prosecution. 2226

(C) If the director suspends or revokes the license of the 2227  
facility for the disposal of low-level radioactive waste for any 2228  
reason in accordance with rules adopted under division (A) or 2229  
(B) of section 3748.04 of the Revised Code, the contractor shall 2230  
indemnify the state for any loss suffered by the state as a 2231  
result of the lack of disposal capacity for low-level 2232  
radioactive waste that otherwise would have been disposed of at 2233  
the facility. 2234

(D) The provisions of division (A) of this section 2235  
establishing requirements governing the director and divisions 2236  
(B) and (C) of this section apply only if the state becomes an 2237  
agreement state pursuant to section 3748.03 of the Revised Code. 2238

**Sec. 3773.31.** As used in sections 3773.31 to 3773.57 of 2239  
the Revised Code: 2240

(A) "Professional boxer" means a boxer who competes for a prize, in cash or otherwise, that has a value of more than twenty-five dollars.

(B) "Amateur" means a contestant who does not compete for a prize, in cash or otherwise, that has a value of more than twenty-five dollars.

(C) "Contestant" means a contestant in a public boxing match or exhibition.

(D) "Public boxing match or exhibition" means any public or private competition that involves the sports of boxing, kick boxing, karate, ~~tough man contests or tough guy contests~~, or any other form of boxing or martial arts, but does not include professional wrestling.

(E) "Tough man contests or tough guy contests" means any competition that involves any physical contact bout between two or more individuals who attempt to knock out the opponent by using boxing, kicking, or choking techniques or martial arts tactics or any combination of such techniques and tactics.

(F) "Public boxing or wrestling match or exhibition" means any public or private competition that involves the sports of boxing, kick boxing, karate, ~~tough man contests or tough guy contests~~, professional wrestling, or any other form of boxing or martial arts.

(G) "Boxing match or exhibition" means a public or private competition pertaining to the sport of boxing.

Sections 3773.31 to 3773.57 of the Revised Code do not apply to elementary or secondary school, college, or university boxing, karate, or wrestling coaches who receive compensation for teaching or coaching boxing, karate, or wrestling only from

the school, college, or university; to amateur boxers; or to 2270  
boxing, karate, or wrestling matches and exhibitions in which 2271  
all of the contestants are amateur boxers, amateur participants 2272  
in a karate match or exhibition, or amateur wrestlers from an 2273  
elementary or secondary school, a college, or a university. 2274

Sec. 3773.341. (A) The Ohio athletic commission shall 2275  
regulate tough man contests and tough guy contests as 2276  
competitions that involve mixed martial arts. 2277

(B) Any person who desires to participate in a tough man 2278  
contest or tough guy contest as a referee, judge, matchmaker, 2279  
timekeeper, manager, trainer, contestant, or second shall be 2280  
licensed in the same manner as a participant in a competition 2281  
that involves mixed martial arts. The commission shall not 2282  
require a separate license for that purpose. 2283

(C) Any person who holds a promoter's license and who 2284  
desires to conduct a tough man contest or tough guy contest 2285  
shall obtain a permit in the same manner as for any other 2286  
contest regulated by the commission. The commission shall not 2287  
require a separate permit for that purpose. 2288

**Sec. 3773.35.** Any person who wishes to conduct a public or 2289  
private competition that involves boxing, wrestling, mixed 2290  
martial arts, kick boxing, ~~tough man contests, tough guy~~ 2291  
~~contests,~~ or any other form of boxing or martial arts shall 2292  
apply to the Ohio athletic commission for a promoter's license. 2293  
Each application shall be filed with the commission on forms 2294  
provided by the commission, and shall be accompanied by an 2295  
application fee as prescribed in section 3773.43 of the Revised 2296  
Code and, with the exception of wrestling events, by a surety 2297  
bond of not less than twenty thousand dollars conditioned for 2298  
compliance with sections 3773.31 to 3773.57 of the Revised Code 2299

and the rules of the commission. 2300

The commission shall prescribe the form of the application 2301  
for the promoter's license. The application shall include the 2302  
name of the applicant, the post office address of the applicant, 2303  
and any other information the commission requires. 2304

**Sec. 3773.36.** (A) Upon the proper filing of an application 2305  
to conduct any public or private competition that involves 2306  
boxing, mixed martial arts, kick boxing, ~~tough man contests,~~ 2307  
~~tough guy contests,~~ or any other form of boxing or martial arts, 2308  
accompanied by the surety bond and the application fee, or upon 2309  
the proper filing of an application to conduct any public or 2310  
private competition that involves wrestling accompanied by the 2311  
application fee, the Ohio athletic commission shall issue a 2312  
promoter's license to the applicant if it finds that the 2313  
applicant is not in default on any payment, obligation, or debt 2314  
payable to the state under sections 3773.31 to 3773.57 of the 2315  
Revised Code, is financially responsible, and is knowledgeable 2316  
in the proper conduct of such matches or exhibitions. 2317

(B) Notwithstanding the requirements for a license under 2318  
division (A) of this section, the commission shall issue a 2319  
promoter's license in accordance with Chapter 4796. of the 2320  
Revised Code to an applicant if either of the following applies: 2321

(1) The applicant holds a license in another state. 2322

(2) The applicant has satisfactory work experience, a 2323  
government certification, or a private certification as 2324  
described in that chapter as a promoter in a state that does not 2325  
issue that license. 2326

(C) Each license issued pursuant to this section shall 2327  
bear the name of the licensee, the post office address of the 2328

licensee, the date of expiration, an identification number 2329  
designated by the commission, and the seal of the commission. 2330

(D) A promoter's license shall expire twelve months after 2331  
its date of issuance and shall become invalid on that date 2332  
unless renewed. A promoter's license may be renewed upon 2333  
application to the commission and upon payment of the renewal 2334  
fee prescribed in section 3773.43 of the Revised Code. The 2335  
commission shall renew the license unless it denies the 2336  
application for renewal for one or more reasons stated in 2337  
section 3123.47 or 3773.53 of the Revised Code. 2338

**Sec. 3773.43.** The Ohio athletic commission shall charge 2339  
the following fees: 2340

(A) For an application for or renewal of a promoter's 2341  
license for a public or private competition that involves 2342  
boxing, mixed martial arts, kick boxing, ~~tough man contests,~~ 2343  
~~tough guy contests,~~ or any other form of boxing or martial arts, 2344  
one hundred dollars. 2345

(B) For an application for or renewal of a license to 2346  
participate in a public boxing match or exhibition as a 2347  
contestant, or as a referee, judge, matchmaker, manager, 2348  
timekeeper, trainer, or second of a contestant, twenty dollars. 2349

(C) For a permit to conduct a public boxing match or 2350  
exhibition, fifty dollars. 2351

(D) For an application for or renewal of a promoter's 2352  
license for a public or private competition that involves 2353  
wrestling, two hundred dollars. 2354

(E) For a permit to conduct a professional wrestling match 2355  
or exhibition, one hundred dollars. 2356

The commission, subject to the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that such fees do not exceed the amounts permitted by this section by more than fifty per cent.

The fees prescribed by this section shall be paid to the treasurer of state, who shall deposit the fees in the occupational licensing and regulatory fund.

**Sec. 3773.45.** (A) The Ohio athletic commission shall adopt, and may amend or rescind, rules that do both of the following:

(1) Require the physical examination by appropriate medical personnel of each contestant in any public competition that involves boxing, mixed martial arts, kick boxing, karate, ~~tough man contests~~, or any other form of boxing or martial arts within a specified time period before and after the competition to determine whether the contestant is physically fit to compete in the competition under specified standards, has sustained physical injuries in the competition, or requires follow-up examination; and

(2) Require the reporting of each examination to the commission.

(B) No holder of a promoter's license shall conduct a boxing match or exhibition that exceeds twelve rounds. Each round shall be not more than three minutes in length. A period of at least one minute, during which no boxing or sparring takes place, shall occur between rounds.

No holder of a promoter's license or a permit issued under section 3773.39 of the Revised Code shall allow a professional boxer to participate in more than twelve rounds of boxing within

a period of seventy-two consecutive hours. For any match or 2386  
exhibition or for a class of contestants, the commission may 2387  
limit the number of rounds within the maximum of twelve rounds. 2388

(C) No person shall conduct a boxing match or exhibition 2389  
unless a licensed referee appointed by the commission and paid 2390  
by the person is present. The referee shall direct and control 2391  
the match or exhibition. Before each match or exhibition the 2392  
referee shall obtain from each contestant the name of the 2393  
contestant's chief second and shall hold the chief second 2394  
responsible for the conduct of any assistant seconds during the 2395  
match or exhibition. The referee may declare a prize, 2396  
remuneration, or purse or any part thereof to which a contestant 2397  
is otherwise entitled withheld if, in the referee's judgment, 2398  
the contestant is not competing or did not compete honestly. A 2399  
contestant may appeal the referee's decision in a hearing before 2400  
the commission conducted in accordance with section 3773.52 of 2401  
the Revised Code. 2402

(D) No person shall hold or conduct a boxing match or 2403  
exhibition unless three licensed judges appointed by the 2404  
commission and paid by the person are present. Each judge shall 2405  
render a decision at the end of each match or exhibition. The 2406  
judges shall determine the outcome of the match or exhibition, 2407  
and their decision shall be final. 2408

(E) Each contestant in a boxing match or exhibition shall 2409  
wear gloves weighing not less than six ounces during the boxing 2410  
match or exhibition. 2411

**Sec. 3773.54.** No person who conducts a public boxing match 2412  
or exhibition to which sections 3773.31 to 3773.57 of the 2413  
Revised Code apply shall fail to mail to the Ohio athletic 2414  
commission a written report that shows the number of tickets 2415

2416 sold for the match or exhibition and the amount of gross  
2417 proceeds within twenty-four hours after the determination of the  
2418 outcome of the match or exhibition. The person shall pay to the  
2419 commission a tax of five per cent of the gross proceeds from the  
2420 sale of tickets to the match or exhibition. The commission shall  
2421 adopt rules concerning the time of payment of such taxes. Such  
2422 taxes shall be levied for the purpose of providing revenue with  
2423 which the state may regulate boxing, kick boxing, karate, ~~tough-~~  
2424 ~~man contests or tough guy contests,~~ wrestling, and any other  
2425 form of boxing or martial arts.

2426 The commission, before granting a promoter's license under  
2427 section 3773.36 of the Revised Code to any person other than a  
2428 promoter of professional wrestling, shall obtain from the  
2429 applicant a bond in the sum of not less than one thousand  
2430 dollars, to be approved in form and sufficiency of its sureties  
2431 by the treasurer of state. The bond shall be payable to the  
2432 treasurer of state and shall be conditioned for the payment of  
2433 the tax imposed by this section. Upon the filing and approval of  
2434 the bond, the treasurer of state shall issue to the applicant  
2435 two copies of a certificate verifying the filing and approval.  
2436 The applicant shall file one copy in the office of the  
2437 commission with the license application. No license shall be  
2438 issued until the certificate is filed.

2439 **Sec. 3776.05.** (A) A person seeking to register as an  
2440 environmental health specialist or environmental health  
2441 specialist in training shall submit an application to the  
2442 director of health on a form prescribed by the director. Along  
2443 with the application, the person shall submit the application  
2444 fee prescribed in rules adopted under this chapter.

2445 (B) The director shall register an applicant as an

environmental health specialist if the applicant complies with 2446  
the examination requirements specified under section 3776.06 of 2447  
the Revised Code and meets any of the following education and 2448  
employment requirements: 2449

(1) Graduated from an accredited college or university 2450  
with at least a baccalaureate degree, including at least forty- 2451  
five quarter units or thirty semester units of science courses, 2452  
including courses in life sciences, natural sciences, physical 2453  
sciences, health sciences, or public health sciences, that are 2454  
approved by the director; and completed at least ~~two years~~ one 2455  
year of full-time employment as an environmental health 2456  
specialist; 2457

(2) Graduated from an accredited college or university 2458  
with at least a baccalaureate degree, completed a major in 2459  
environmental health science which included an internship 2460  
program approved by the director; and completed at least ~~one~~ 2461  
~~year~~ six months of full-time employment as an environmental 2462  
health specialist; 2463

(3) Graduated from an accredited college or university 2464  
with a degree higher than a baccalaureate degree, including at 2465  
least forty-five quarter units or thirty semester units of 2466  
science courses, including courses in life sciences, natural 2467  
sciences, physical sciences, health sciences, or public health 2468  
sciences, that are approved by the director; and completed at 2469  
least one year of full-time employment as an environmental 2470  
health specialist. 2471

(C) (1) The director shall register an applicant as an 2472  
environmental health specialist in training if the applicant 2473  
meets the educational qualifications of division (B) (1), (2), or 2474  
(3) of this section, but does not meet the employment 2475

requirement of any such division. 2476

(2) An environmental health specialist in training shall 2477  
apply for registration as an environmental health specialist 2478  
within ~~four-five~~ years after registration as an environmental 2479  
health specialist in training. The director may extend the 2480  
registration of any environmental health specialist in training 2481  
who furnishes, in writing, sufficient cause for not applying for 2482  
registration as an environmental health specialist within the 2483  
~~four-year-five-year~~ period. However, the director shall not 2484  
extend the registration more than an additional two years beyond 2485  
the ~~four-year-five-year~~ period. 2486

**Sec. 4730.10.** (A) Except as provided in division (C) of 2487  
this section, an individual seeking a license to practice as a 2488  
physician assistant shall file with the state medical board a 2489  
written application on a form prescribed and supplied by the 2490  
board. The application shall include all of the following: 2491

(1) The applicant's name, residential address, business 2492  
address, if any, and social security number; 2493

(2) Satisfactory proof that the applicant meets the age 2494  
requirement specified in division (A)(1) of section 4730.11 of 2495  
the Revised Code; 2496

(3) Satisfactory proof that the applicant meets either the 2497  
educational requirements specified in division (B)(1) or (2) of 2498  
section 4730.11 of the Revised Code or the educational or other 2499  
applicable requirements specified in division (C)(1), (2), or 2500  
(3) of that section; 2501

(4) Any other information the board requires. 2502

(B) At the time of making application for a license to 2503  
practice, the applicant shall pay the board a fee of ~~four-one~~ 2504

hundred dollars, no part of which shall be returned. The fees 2505  
shall be deposited in accordance with section 4731.24 of the 2506  
Revised Code. 2507

(C) The board shall issue a license to practice as a 2508  
physician assistant in accordance with Chapter 4796. of the 2509  
Revised Code to an applicant if either of the following applies: 2510

(1) The applicant holds a license in another state. 2511

(2) The applicant has satisfactory work experience, a 2512  
government certification, or a private certification as 2513  
described in that chapter as a physician assistant in a state 2514  
that does not issue that license. 2515

**Sec. 4730.14.** (A) A license to practice as a physician 2516  
assistant shall be valid for a two-year period unless revoked or 2517  
suspended, shall expire on the date that is two years after the 2518  
date of issuance, and may be renewed for additional two-year 2519  
periods in accordance with this section. A person seeking to 2520  
renew a license shall apply to the state medical board for 2521  
renewal prior to the license's expiration date. The board shall 2522  
provide renewal notices to license holders at least one month 2523  
prior to the expiration date. 2524

Applications shall be submitted to the board in a manner 2525  
prescribed by the board. Each application shall be accompanied 2526  
by a biennial renewal fee of ~~two~~one hundred dollars. The board 2527  
shall deposit the fees in accordance with section 4731.24 of the 2528  
Revised Code. 2529

The applicant shall report any criminal offense that 2530  
constitutes grounds for refusing to issue a license to practice 2531  
under section 4730.25 of the Revised Code to which the applicant 2532  
has pleaded guilty, of which the applicant has been found 2533

guilty, or for which the applicant has been found eligible for 2534  
intervention in lieu of conviction, since last signing an 2535  
application for a license to practice as a physician assistant. 2536

(B) To be eligible for renewal of a license, an applicant 2537  
is subject to all of the following: 2538

(1) The applicant must certify to the board that the 2539  
applicant has maintained certification by the national 2540  
commission on certification of physician assistants or a 2541  
successor organization that is recognized by the board by 2542  
meeting the standards to hold current certification from the 2543  
commission or its successor, including passing periodic 2544  
recertification examinations; 2545

(2) Except as provided in section 5903.12 of the Revised 2546  
Code, the applicant must certify to the board that the applicant 2547  
is in compliance with the continuing medical education 2548  
requirements necessary to hold current certification from the 2549  
commission or its successor. 2550

(3) The applicant must comply with the renewal eligibility 2551  
requirements established under section 4730.49 of the Revised 2552  
Code that pertain to the applicant. 2553

(C) If an applicant submits a complete renewal application 2554  
and qualifies for renewal pursuant to division (B) of this 2555  
section, the board shall issue to the applicant a renewed 2556  
license to practice as a physician assistant. 2557

(D) The board may require a random sample of physician 2558  
assistants to submit materials documenting both of the 2559  
following: 2560

(1) Certification by the national commission on 2561  
certification of physician assistants or a successor 2562

organization that is recognized by the board; 2563

(2) Completion of the continuing medical education 2564  
required to hold current certification from the commission or 2565  
its successor. 2566

Division (D) of this section does not limit the board's 2567  
authority to conduct investigations pursuant to section 4730.25 2568  
of the Revised Code. 2569

(E) A license to practice that is not renewed on or before 2570  
its expiration date is automatically suspended on its expiration 2571  
date. Continued practice after suspension of the license shall 2572  
be considered as practicing in violation of division (A) of 2573  
section 4730.02 of the Revised Code. 2574

(F) If a license has been suspended pursuant to division 2575  
(E) of this section for two years or less, it may be reinstated. 2576  
The board shall reinstate a license suspended for failure to 2577  
renew upon an applicant's submission of a renewal application, 2578  
the biennial renewal fee, and any applicable monetary penalty. 2579

If a license has been suspended pursuant to division (E) 2580  
of this section for more than two years, it may be restored. In 2581  
accordance with section 4730.28 of the Revised Code, the board 2582  
may restore a license suspended for failure to renew upon an 2583  
applicant's submission of a restoration application, the 2584  
biennial renewal fee, and any applicable monetary penalty and 2585  
compliance with sections 4776.01 to 4776.04 of the Revised Code. 2586  
The board shall not restore to an applicant a license to 2587  
practice as a physician assistant unless the board, in its 2588  
discretion, decides that the results of the criminal records 2589  
check do not make the applicant ineligible for a license issued 2590  
pursuant to section 4730.12 of the Revised Code. 2591

The penalty for reinstatement shall be fifty dollars and 2592  
the penalty for restoration shall be one hundred dollars. The 2593  
board shall deposit penalties in accordance with section 4731.24 2594  
of the Revised Code. 2595

(G) (1) If, through a random sample conducted under 2596  
division (D) of this section or through any other means, the 2597  
board finds that an individual who certified completion of the 2598  
continuing medical education required to renew, reinstate, 2599  
restore, or reactivate a license to practice did not complete 2600  
the requisite continuing medical education, the board may do 2601  
either of the following: 2602

(a) Take disciplinary action against the individual under 2603  
section 4730.25 of the Revised Code, impose a civil penalty, or 2604  
both; 2605

(b) Permit the individual to agree in writing to complete 2606  
the continuing medical education and pay a civil penalty. 2607

(2) The board's finding in any disciplinary action taken 2608  
under division (G) (1) (a) of this section shall be made pursuant 2609  
to an adjudication under Chapter 119. of the Revised Code and by 2610  
an affirmative vote of not fewer than six of its members. 2611

(3) A civil penalty imposed under division (G) (1) (a) of 2612  
this section or paid under division (G) (1) (b) of this section 2613  
shall be in an amount specified by the board of not more than 2614  
five thousand dollars. The board shall deposit civil penalties 2615  
in accordance with section 4731.24 of the Revised Code. 2616

**Sec. 4731.09.** (A) An applicant for a license to practice 2617  
medicine and surgery or osteopathic medicine and surgery must 2618  
meet all of the following requirements: 2619

(1) Be at least eighteen years of age; 2620

(2) Possess a high school diploma or a certificate of high 2621  
school equivalence or have obtained the equivalent of such 2622  
education as determined by the state medical board; 2623

(3) Have completed two years of undergraduate work in a 2624  
college of arts and sciences or the equivalent of such education 2625  
as determined by the board; 2626

(4) Meet one of the following medical education and 2627  
graduate medical education requirements: 2628

(a) Hold a diploma from a medical school or osteopathic 2629  
medical school that, at the time the diploma was issued, was a 2630  
medical school accredited by the liaison committee on medical 2631  
education or an osteopathic medical school accredited by the 2632  
American osteopathic association and have successfully completed 2633  
not less than twelve months of graduate medical education 2634  
through the first-year level of graduate medical education or 2635  
its equivalent as determined by the board; 2636

(b) Hold certification from the educational commission for 2637  
foreign medical graduates and have successfully completed not 2638  
less than twenty-four months of graduate medical education 2639  
through the second-year level of graduate medical education or 2640  
its equivalent as determined by the board; 2641

(c) Be a qualified graduate of a fifth pathway training 2642  
program as recognized by the board under section 4731.091 of the 2643  
Revised Code and have successfully completed, subsequent to 2644  
completing fifth pathway training, not less than twelve months 2645  
of graduate medical education or its equivalent as determined by 2646  
the board. 2647

(5) Have successfully passed an examination prescribed in 2648  
rules adopted by the board to determine competency to practice 2649

medicine and surgery or osteopathic medicine and surgery; 2650

(6) Comply with section 4731.08 of the Revised Code; 2651

(7) Meet the requirements of section 4731.142 of the 2652  
Revised Code if eligibility for the license applied for is based 2653  
in part on certification from the educational commission for 2654  
foreign medical graduates and the undergraduate education 2655  
requirements established by this section were fulfilled at an 2656  
institution outside of the United States. 2657

(B) An applicant for a license to practice medicine and 2658  
surgery or osteopathic medicine and surgery shall submit to the 2659  
board an application in the form and manner prescribed by the 2660  
board. The application must include all of the following: 2661

(1) Evidence satisfactory to the board to demonstrate that 2662  
the applicant meets all of the requirements of division (A) of 2663  
this section; 2664

(2) An attestation that the information submitted under 2665  
this section is accurate and truthful; 2666

(3) Consent to the release of the applicant's information; 2667

(4) Any other information the board requires. 2668

(C) An applicant for a license to practice medicine and 2669  
surgery or osteopathic medicine and surgery shall include with 2670  
the application a fee of ~~three~~two hundred ~~five~~ dollars, no part 2671  
of which may be returned. An application is not considered 2672  
submitted until the board receives the fee. 2673

(D) The board may conduct an investigation related to the 2674  
application materials received pursuant to this section and may 2675  
contact any individual, agency, or organization for 2676  
recommendations or other information about the applicant. 2677

(E) The board shall conclude any investigation of an  
applicant conducted under section 4731.22 of the Revised Code  
not later than ninety days after receipt of a complete  
application unless the applicant agrees in writing to an  
extension or the board determines that there is a substantial  
question of a violation of this chapter or the rules adopted  
under it and notifies the applicant in writing of the reasons  
for continuation of the investigation. If the board determines  
that the applicant is not in violation of this chapter or the  
rules adopted under it, the board shall issue a license not  
later than forty-five days after making that determination.

**Sec. 4731.281.** (A) (1) A license issued under this chapter  
to practice medicine and surgery, osteopathic medicine and  
surgery, or podiatric medicine and surgery shall be valid for a  
two-year period unless revoked or suspended. A license shall  
expire on the date that is two years from the date of issuance  
and may be renewed for additional two-year periods. Applications  
for renewal shall be submitted to the state medical board in a  
manner prescribed by the board.

Each application shall be accompanied by a biennial  
renewal fee of ~~three~~two hundred ~~five~~ dollars.

The board shall deposit the fee in accordance with section  
4731.24 of the Revised Code, except that the board shall deposit  
twenty dollars of the fee into the state treasury to the credit  
of the physician loan repayment fund created by section 3702.78  
of the Revised Code.

(2) The board shall provide a renewal notice to every  
person holding a license to practice medicine and surgery,  
osteopathic medicine and surgery, or podiatric medicine and  
surgery, a renewal notice. The board may provide the notice to

the person through the secretary of any recognized medical, 2708  
osteopathic, or podiatric society. The notice shall be provided 2709  
to the person at least one month prior to the date on which the 2710  
person's license expires. 2711

(3) Failure of any person to receive a notice of renewal 2712  
from the board shall not excuse the person from the requirements 2713  
contained in this section. 2714

(4) The board's notice shall inform the applicant of the 2715  
renewal procedure. The board shall provide the application for 2716  
renewal in a form determined by the board. 2717

(5) The applicant shall provide in the application the 2718  
applicant's full name; the applicant's residence address, 2719  
business address, and electronic mail address; the number of the 2720  
applicant's license to practice; and any other information 2721  
required by the board. 2722

(6) (a) Except as provided in division (A) (6) (b) of this 2723  
section, in the case of an applicant who prescribes or 2724  
personally furnishes opioid analgesics or benzodiazepines, as 2725  
defined in section 3719.01 of the Revised Code, the applicant 2726  
shall certify to the board whether the applicant has been 2727  
granted access to the drug database established and maintained 2728  
by the state board of pharmacy pursuant to section 4729.75 of 2729  
the Revised Code. 2730

(b) The requirement described in division (A) (6) (a) of 2731  
this section does not apply if any of the following is the case: 2732

(i) The state board of pharmacy notifies the state medical 2733  
board pursuant to section 4729.861 of the Revised Code that the 2734  
applicant has been restricted from obtaining further information 2735  
from the drug database. 2736

(ii) The state board of pharmacy no longer maintains the 2737  
drug database. 2738

(iii) The applicant does not practice medicine and 2739  
surgery, osteopathic medicine and surgery, or podiatric medicine 2740  
and surgery in this state. 2741

(c) If an applicant certifies to the state medical board 2742  
that the applicant has been granted access to the drug database 2743  
and the board finds through an audit or other means that the 2744  
applicant has not been granted access, the board may take action 2745  
under section 4731.22 of the Revised Code. 2746

(7) The applicant shall indicate whether the applicant 2747  
currently collaborates, as that term is defined in section 2748  
4723.01 of the Revised Code, with any clinical nurse 2749  
specialists, certified nurse-midwives, or certified nurse 2750  
practitioners. 2751

(8) The applicant shall report any criminal offense to 2752  
which the applicant has pleaded guilty, of which the applicant 2753  
has been found guilty, or for which the applicant has been found 2754  
eligible for intervention in lieu of conviction, since last 2755  
submitting an application for a license to practice or renewal 2756  
of a license. 2757

(9) The applicant shall execute and deliver the 2758  
application to the board in a manner prescribed by the board. 2759

(B) The board shall renew a license under this chapter to 2760  
practice medicine and surgery, osteopathic medicine and surgery, 2761  
or podiatric medicine and surgery upon application and 2762  
qualification therefor in accordance with this section. A 2763  
renewal shall be valid for a two-year period. 2764

(C) Failure of any license holder to renew and comply with 2765

this section shall operate automatically to suspend the holder's 2766  
license to practice and if applicable, the holder's certificate 2767  
to recommend issued under section 4731.30 of the Revised Code. 2768  
Continued practice after the suspension shall be considered as 2769  
practicing in violation of section 4731.41, 4731.43, or 4731.60 2770  
of the Revised Code. 2771

If the license has been suspended pursuant to this 2772  
division for two years or less, it may be reinstated. The board 2773  
shall reinstate a license to practice suspended for failure to 2774  
renew upon an applicant's submission of a renewal application 2775  
and payment of a reinstatement fee of four hundred five dollars. 2776

If the license has been suspended pursuant to this 2777  
division for more than two years, it may be restored. Subject to 2778  
section 4731.222 of the Revised Code, the board may restore a 2779  
license to practice suspended for failure to renew upon an 2780  
applicant's submission of a restoration application, payment of 2781  
a restoration fee of five hundred five dollars, and compliance 2782  
with sections 4776.01 to 4776.04 of the Revised Code. The board 2783  
shall not restore to an applicant a license unless the board, in 2784  
its discretion, decides that the results of the criminal records 2785  
check do not make the applicant ineligible for a license issued 2786  
pursuant to section 4731.14 or 4731.56 of the Revised Code. 2787

Any reinstatement or restoration of a license to practice 2788  
under this section shall operate automatically to renew the 2789  
holder's certificate to recommend. 2790

(D) The state medical board may obtain information not 2791  
protected by statutory or common law privilege from courts and 2792  
other sources concerning malpractice claims against any person 2793  
holding a license to practice under this chapter or practicing 2794  
as provided in section 4731.36 of the Revised Code. 2795

(E) Each renewal notice provided by the board under 2796  
division (A) (2) of this section to a person holding a license to 2797  
practice medicine and surgery or osteopathic medicine and 2798  
surgery shall inform the applicant of the reporting requirement 2799  
established by division (H) of section 3701.79 of the Revised 2800  
Code. At the discretion of the board, the information may be 2801  
included on the application for renewal or on an accompanying 2802  
page. 2803

(F) Each person holding a license to practice medicine and 2804  
surgery, osteopathic medicine and surgery, or podiatric medicine 2805  
and surgery shall give notice to the board of a change in the 2806  
license holder's residence address, business address, or 2807  
electronic mail address not later than thirty days after the 2808  
change occurs. 2809

**Sec. 4731.294.** (A) The state medical board may issue, 2810  
without examination, a special activity certificate to any 2811  
nonresident ~~person~~ individual seeking to practice medicine and 2812  
surgery or osteopathic medicine and surgery in conjunction with 2813  
a special activity, program, or event taking place in this 2814  
state. 2815

(B) An applicant for a special activity certificate shall 2816  
submit evidence satisfactory to the board of all of the 2817  
following: 2818

(1) The applicant holds a current, unrestricted license to 2819  
practice medicine and surgery or osteopathic medicine and 2820  
surgery issued by another state or country and ~~that~~, within the 2821  
two-year period immediately preceding application, the applicant 2822  
has done one of the following: 2823

(a) Actively practiced medicine and surgery or osteopathic 2824

medicine and surgery in the United States; 2825

(b) Participated in a graduate medical education program 2826  
accredited by either the accreditation council for graduate 2827  
medical education of the American medical association or the 2828  
American osteopathic association; 2829

(c) Successfully passed the federation licensing 2830  
examination established by the federation of state medical 2831  
boards, a special examination established by the federation of 2832  
state medical boards, or all parts of a standard medical 2833  
licensing examination established for purposes of determining 2834  
the competence of individuals to practice medicine and surgery 2835  
or osteopathic medicine and surgery in the United States. 2836

(2) The applicant meets the same educational requirements 2837  
that individuals must meet under sections 4731.09 and 4731.14 of 2838  
the Revised Code. 2839

(3) The applicant's practice in conjunction with the 2840  
special activity, program, or event will be in the public 2841  
interest. 2842

(C) The applicant shall pay a fee of ~~one hundred twenty-~~ 2843  
~~five-seventy-five~~ dollars, but only if the applicant expects to 2844  
be compensated for practicing medicine and surgery or 2845  
osteopathic medicine and surgery in conjunction with the special 2846  
activity, event, or program for which a certificate may be 2847  
issued. 2848

(D) The holder of a special activity certificate may 2849  
practice medicine and surgery or osteopathic medicine and 2850  
surgery only in conjunction with the special activity, event, or 2851  
program for which the certificate is issued. The board may 2852  
revoke a certificate on receiving proof satisfactory to the 2853

board that the holder of the certificate has engaged in practice 2854  
in this state outside the scope of the certificate or that there 2855  
are grounds for action against the certificate holder under 2856  
section 4731.22 of the Revised Code. 2857

(E) ~~A~~ Each special activity certificate is valid for the 2858  
shorter of thirty days or the duration of the special activity, 2859  
program, or event for which it was issued. ~~The~~ A special 2860  
activity certificate may not be renewed. 2861

(F) The board shall not require ~~a person~~ an individual 2862  
holding a special activity certificate issued under this section 2863  
to obtain a certificate under Chapter 4796. of the Revised Code. 2864

~~(G) The state medical board shall adopt rules in~~ 2865  
~~accordance with Chapter 119. of the Revised Code that specify~~ 2866  
~~how often an applicant may be granted a certificate under this~~ 2867  
~~section~~ An individual may apply for a special activity 2868  
certificate under this section not more twelve times within a 2869  
consecutive two-year period. 2870

**Sec. 4731.297.** (A) As used in this section: 2871

(1) "Academic medical center" means a medical school and 2872  
its affiliated teaching hospitals and clinics partnering to do 2873  
all of the following: 2874

(a) Provide the highest quality of patient care from 2875  
expert physicians; 2876

(b) Conduct groundbreaking research leading to medical 2877  
advancements for current and future patients; 2878

(c) Provide medical education and graduate medical 2879  
education to educate and train physicians. 2880

(2) "Affiliated physician group practice" means a medical 2881

practice that consists of one or more physicians authorized 2882  
under this chapter to practice medicine and surgery or 2883  
osteopathic medicine and surgery and that is affiliated with an 2884  
academic medical center to further the objectives described in 2885  
divisions (A) (1) (a) to (c) of this section. 2886

(B) The state medical board shall issue, without 2887  
examination, to an applicant who meets the requirements of this 2888  
section a certificate of conceded eminence authorizing the 2889  
practice of medicine and surgery or osteopathic medicine and 2890  
surgery as part of the applicant's employment with an academic 2891  
medical center in this state or affiliated physician group 2892  
practice in this state. 2893

(C) To be eligible for a certificate of conceded eminence, 2894  
an applicant shall provide to the board all of the following: 2895

(1) Evidence satisfactory to the board of all of the 2896  
following: 2897

(a) That the applicant is an international medical 2898  
graduate who holds a medical degree from an educational 2899  
institution listed in the international medical education 2900  
directory; 2901

(b) That the applicant has been appointed to serve in this 2902  
state as a full-time faculty member of a medical school 2903  
accredited by the liaison committee on medical education or an 2904  
osteopathic medical school accredited by the American 2905  
osteopathic association; 2906

(c) That the applicant has accepted an offer of employment 2907  
with an academic medical center in this state or affiliated 2908  
physician group practice in this state; 2909

(d) That the applicant holds a license in good standing in 2910

another state or country authorizing the practice of medicine 2911  
and surgery or osteopathic medicine and surgery; 2912

(e) That the applicant has unique talents and 2913  
extraordinary abilities not generally found within the 2914  
applicant's specialty, as demonstrated by satisfying at least 2915  
four of the following: 2916

(i) The applicant has achieved educational qualifications 2917  
beyond those that are required for entry into the applicant's 2918  
specialty, including advanced degrees, special certifications, 2919  
or other academic credentials. 2920

(ii) The applicant has written multiple articles in 2921  
journals listed in the index medicus or an equivalent scholarly 2922  
publication acceptable to the board. 2923

(iii) The applicant has a sustained record of excellence 2924  
in original research, at least some of which involves serving as 2925  
the principal investigator or co-principal investigator for a 2926  
research project. 2927

(iv) The applicant has received nationally or 2928  
internationally recognized prizes or awards for excellence. 2929

(v) The applicant has participated in peer review in a 2930  
field of specialization that is the same as or similar to the 2931  
applicant's specialty. 2932

(vi) The applicant has developed new procedures or 2933  
treatments for complex medical problems that are recognized by 2934  
peers as a significant advancement in the applicable field of 2935  
medicine. 2936

(vii) The applicant has held previous academic 2937  
appointments with or been employed by a health care organization 2938

that has a distinguished national or international reputation. 2939

(viii) The applicant has been the recipient of a national 2940  
institutes of health or other competitive grant award. 2941

(f) That the applicant has received staff membership or 2942  
professional privileges from the academic medical center 2943  
pursuant to standards adopted under section 3701.351 of the 2944  
Revised Code on a basis that requires the applicant's medical 2945  
education and graduate medical education to be at least 2946  
equivalent to that of a physician educated and trained in the 2947  
United States; 2948

(g) That the applicant has sufficient written and oral 2949  
English skills to communicate effectively and reliably with 2950  
patients, their families, and other medical professionals; 2951

(h) That the applicant will have professional liability 2952  
insurance through the applicant's employment with the academic 2953  
medical center or affiliated physician group practice. 2954

(2) An attestation that the applicant agrees to practice 2955  
only within the clinical setting of the academic medical center 2956  
or for the affiliated physician group practice; 2957

(3) Three letters of reference from distinguished experts 2958  
in the applicant's specialty attesting to the unique 2959  
capabilities of the applicant, at least one of which must be 2960  
from outside the academic medical center or affiliated physician 2961  
group practice; 2962

(4) An affidavit from the dean of the medical school where 2963  
the applicant has been appointed to serve as a faculty member 2964  
stating that the applicant meets all of the requirements of 2965  
division (C) (1) of this section and that the letters of 2966  
reference submitted under division (C) (3) of this section are 2967

from distinguished experts in the applicant's specialty, and 2968  
documentation to support the affidavit; 2969

(5) A fee of ~~one thousand~~ three hundred dollars for the 2970  
certificate. 2971

(D) (1) The holder of a certificate of conceded eminence 2972  
may practice medicine and surgery or osteopathic medicine and 2973  
surgery only within the clinical setting of the academic medical 2974  
center with which the certificate holder is employed or for the 2975  
affiliated physician group practice with which the certificate 2976  
holder is employed. 2977

(2) A certificate holder may supervise medical students, 2978  
physicians participating in graduate medical education, advanced 2979  
practice registered nurses, and physician assistants when 2980  
performing clinical services in the certificate holder's area of 2981  
specialty. 2982

(E) The board may revoke a certificate issued under this 2983  
section on receiving proof satisfactory to the board that the 2984  
certificate holder has engaged in practice in this state outside 2985  
the scope of the certificate or that there are grounds for 2986  
action against the certificate holder under section 4731.22 of 2987  
the Revised Code. 2988

(F) A certificate of conceded eminence is valid for the 2989  
shorter of two years or the duration of the certificate holder's 2990  
employment with the academic medical center or affiliated 2991  
physician group practice. The certificate ceases to be valid if 2992  
the holder resigns or is otherwise terminated from the academic 2993  
medical center or affiliated physician group practice. 2994

(G) A certificate of conceded eminence may be renewed for 2995  
an additional two-year period. There is no limit on the number 2996

of times a certificate may be renewed. A person seeking renewal 2997  
of a certificate shall apply to the board and is eligible for 2998  
renewal if the applicant does all of the following: 2999

(1) Pays the renewal fee of ~~one thousand~~ three hundred 3000  
dollars; 3001

(2) Provides to the board an affidavit and supporting 3002  
documentation from the academic medical center or affiliated 3003  
physician group practice of all of the following: 3004

(a) That the applicant's initial appointment to the 3005  
medical faculty is still valid or has been renewed; 3006

(b) That the applicant's clinical practice is consistent 3007  
with the established standards in the field; 3008

(c) That the applicant has demonstrated continued 3009  
scholarly achievement; 3010

(d) That the applicant has demonstrated continued 3011  
professional achievement consistent with the academic medical 3012  
center's requirements, established pursuant to standards adopted 3013  
under section 3701.351 of the Revised Code, for physicians with 3014  
staff membership or professional privileges with the academic 3015  
medical center. 3016

(3) Satisfies the same continuing medical education 3017  
requirements set forth in section 4731.282 of the Revised Code 3018  
that apply to a person who holds a certificate to practice 3019  
medicine and surgery or osteopathic medicine and surgery issued 3020  
under this chapter. 3021

(4) Complies with any other requirements established by 3022  
the board. 3023

(H) The board shall not require a person to obtain a 3024

certificate under Chapter 4796. of the Revised Code to practice 3025  
medicine and surgery or osteopathic medicine and surgery if the 3026  
person holds a certificate of conceded eminence issued under 3027  
this section. 3028

(I) The board may adopt any rules it considers necessary 3029  
to implement this section. The rules shall be adopted in 3030  
accordance with Chapter 119. of the Revised Code. 3031

**Sec. 4731.52.** (A) Except as provided in division (E) of 3032  
this section, a person seeking a license to practice podiatric 3033  
medicine and surgery shall file with the state medical board an 3034  
application in the form and manner prescribed by the board. The 3035  
application must include all of the following: 3036

(1) Evidence satisfactory to the board to demonstrate that 3037  
the applicant meets all of the following requirements: 3038

(a) Is at least eighteen years of age; 3039

(b) Possesses a high school diploma or a certificate of 3040  
high school equivalence or has obtained the equivalent of such 3041  
education as determined by the board; 3042

(c) Has completed at least two years of undergraduate work 3043  
in a college of arts and sciences or the equivalent of such 3044  
education as determined by the board; 3045

(d) Holds a degree from a college of podiatric medicine 3046  
and surgery that was in good standing with the board at the time 3047  
the degree was granted, as determined by the board; 3048

(e) Has completed one year of postgraduate training in a 3049  
podiatric internship, residency, or clinical fellowship program 3050  
accredited by the council on podiatric medicine or the American 3051  
podiatric medical association or its equivalent as determined by 3052

the board; 3053

(f) Has successfully passed an examination prescribed in 3054  
rules adopted by the board to determine competency to practice 3055  
podiatric medicine and surgery; 3056

(g) Has complied with section 4731.531 of the Revised 3057  
Code. 3058

(2) An attestation that the information submitted under 3059  
this section is accurate and truthful; 3060

(3) Consent to the release of the applicant's information; 3061

(4) Any other information the board requires. 3062

(B) Except as provided in division (E) of this section, an 3063  
applicant for a license to practice podiatric medicine and 3064  
surgery shall include with the application a fee of ~~three~~two 3065  
hundred ~~five~~ dollars, no part of which may be returned. An 3066  
application is not considered submitted until the board receives 3067  
the fee. 3068

(C) The board may conduct an investigation related to the 3069  
application materials received pursuant to this section and may 3070  
contact any individual, agency, or organization for 3071  
recommendations or other information about the applicant. 3072

(D) The board shall conclude any investigation of an 3073  
applicant conducted under section 4731.22 of the Revised Code 3074  
not later than ninety days after receipt of a complete 3075  
application unless the applicant agrees in writing to an 3076  
extension or the board determines that there is a substantial 3077  
question of a violation of this chapter or the rules adopted 3078  
under it and notifies the applicant in writing of the reasons 3079  
for continuation of the investigation. If the board determines 3080

that the applicant is not in violation of this chapter or the 3081  
rules adopted under it, the board shall issue a license not 3082  
later than forty-five days after making that determination. 3083

(E) The board shall issue a license to practice podiatric 3084  
medicine and surgery in accordance with Chapter 4796. of the 3085  
Revised Code to an applicant if either of the following applies: 3086

(1) The applicant holds a license in another state. 3087

(2) The applicant has satisfactory work experience, a 3088  
government certification, or a private certification as 3089  
described in that chapter as a podiatrist in a state that does 3090  
not issue that license. 3091

**Sec. 4759.08.** (A) The state medical board shall charge and 3092  
collect fees as described in this section for issuing the 3093  
following: 3094

(1) An application for an initial dietitian license, or 3095  
renewal of the license, two hundred twenty-five ninety-five 3096  
dollars; 3097

(2) ~~License renewal, one hundred eighty dollars;~~ 3098

~~(3) A~~ An application for a limited permit, or renewal of 3099  
the permit, sixty-five fifty dollars; 3100

~~(4)~~ (3) A duplicate license or permit, thirty-five dollars; 3101

~~(5)~~ (4) In the case of a person holding a license issued 3102  
under this chapter, a license verification fee of fifty dollars. 3103

(B) All receipts of the board shall be deposited in the 3104  
state treasury to the credit of the state medical board 3105  
operating fund in accordance with section 4731.24 of the Revised 3106  
Code. 3107

**Sec. 4764.05.** (A) The Ohio home inspector board shall 3108  
adopt rules in accordance with Chapter 119. of the Revised Code 3109  
to do all of the following: 3110

(1) Establish standards to govern the issuance, renewal, 3111  
suspension, and revocation of licenses, other sanctions that may 3112  
be imposed for violations of this chapter, the conduct of 3113  
hearings related to these actions, and the process of 3114  
reactivating a license; 3115

(2) Establish the amount of the following fees: 3116

(a) Establish the following fees in an amount that is 3117  
sufficient to defray necessary expenses incurred in the 3118  
administration of this chapter: 3119

(i) The fee for applying for and receiving a license 3120  
issued under section 4764.07 of the Revised Code and the special 3121  
assessment for the home inspection recovery fund created in 3122  
section 4764.21 of the Revised Code, which together shall not 3123  
exceed two hundred~~-fifty~~ dollars; 3124

(ii) The fee for renewal of a license under section 3125  
4764.09 of the Revised Code and the special assessment for the 3126  
home inspection recovery fund created in section 4764.21 of the 3127  
Revised Code, which together shall not exceed two hundred~~-fifty~~ 3128  
dollars. 3129

(b) The renewal late fee described in division (B) (2) of 3130  
section 4764.09 of the Revised Code; 3131

(c) The fee an institution or organization described in 3132  
division (A) (7) of this section shall pay to receive approval to 3133  
offer continuing education courses and programs; 3134

(d) The fee an institution or organization that is 3135

approved to offer continuing education courses and programs 3136  
shall pay for each course or program that the institution or 3137  
organization wishes to have the superintendent approve pursuant 3138  
to the rules adopted by the board under division (A) (8) of this 3139  
section; 3140

(e) Any other fees as required by this chapter. 3141

(3) In accordance with division (C) of this section, 3142  
specify methods and procedures the board shall use to approve a 3143  
curriculum of education a person must successfully complete to 3144  
obtain a license under this chapter; 3145

(4) In accordance with division (D) of this section, 3146  
specify methods and procedures the board shall use to approve a 3147  
curriculum of experience that a person may elect to complete the 3148  
proof of experience requirement specified in division (D) (6) of 3149  
section 4764.07 of the Revised Code; 3150

(5) Establish the administrative reporting and review 3151  
requirements for parallel inspections or equivalency for field 3152  
experience to assure that an applicant for a license satisfies 3153  
the requirements of division (D) (6) of section 4764.07 of the 3154  
Revised Code, as applicable; 3155

(6) Establish a curriculum for continuing education that a 3156  
licensed home inspector shall complete to satisfy the 3157  
requirements for continuing education specified in section 3158  
4764.08 of the Revised Code and procedures to assure continuing 3159  
education requirements are updated periodically to make those 3160  
requirements consistent with home inspection industry practices; 3161

(7) Establish requirements an institution or organization 3162  
shall satisfy to obtain approval to provide courses or programs 3163  
that enable a licensed home inspector to satisfy the 3164

requirements for continuing education specified in section 3165  
4764.08 of the Revised Code and establish procedures that the 3166  
superintendent of real estate and professional licensing shall 3167  
use to approve an institution or organization that satisfies the 3168  
requirements the board establishes; 3169

(8) Establish procedures and standards that the 3170  
superintendent shall use to approve courses and programs, 3171  
including online courses and programs, offered by an institution 3172  
or organization that is approved by the superintendent to offer 3173  
continuing education courses or programs pursuant to the rules 3174  
adopted by the board under division (A) (7) of this section; 3175

(9) Establish reporting requirements for a licensed home 3176  
inspector to follow to demonstrate that the licensed home 3177  
inspector successfully completed the continuing education 3178  
requirements specified in section 4764.08 of the Revised Code; 3179

(10) Establish requirements for conducting home 3180  
inspections, standards of practice for home inspectors, and 3181  
conflict of interest prohibitions to the extent that those 3182  
provisions do not conflict with divisions (A) (2) to (5) of 3183  
section 4764.14 of the Revised Code; 3184

(11) Specify requirements for settlement agreements 3185  
entered into between the superintendent and a licensed home 3186  
inspector under division (C) of section 4764.13 of the Revised 3187  
Code; 3188

(12) Establish procedures for providing licensees with 3189  
notice and applications for renewal under section 4764.09 of the 3190  
Revised Code; 3191

(13) Establish a set of standards of practice and canons 3192  
of ethics for the home inspection industry; 3193

(14) Establish directions for the superintendent of real 3194  
estate and professional licensing to follow regarding the 3195  
scheduling, instruction, and offerings of home inspection 3196  
courses a person must successfully complete to obtain a license 3197  
issued under this chapter; 3198

(15) Establish requirements a licensed home inspector 3199  
shall satisfy to obtain approval to prepare and conduct peer 3200  
review sessions. 3201

(B) The board shall do all of the following: 3202

(1) On appeal by any party affected, or on its own motion, 3203  
review any order of or application determination made by the 3204  
superintendent, and as the board determines necessary, reverse, 3205  
vacate, modify, or sustain such an order or determination; 3206

(2) Hear appeals from orders of the superintendent 3207  
regarding claims against the home inspection recovery fund 3208  
created under section 4764.21 of the Revised Code; 3209

(3) Disseminate to licensees and the public information 3210  
relative to board activities and decisions; 3211

(4) Notify licensees of changes in state and federal laws 3212  
pertaining to home inspections and relevant case law and inform 3213  
licensees that they are subject to disciplinary action if they 3214  
do not comply with the changes. 3215

(C) The board shall approve a curriculum of education a 3216  
person must successfully complete to obtain a license issued 3217  
under this chapter. The board shall approve a curriculum of 3218  
education that satisfies all of the following requirements: 3219

(1) The curriculum is offered by an accredited public or 3220  
private institution of higher education or a professional 3221

organization that has been approved by the board to offer a 3222  
curriculum. 3223

(2) The curriculum includes a requirement that a person, 3224  
to successfully complete the curriculum, complete at least 3225  
eighty hours of classroom or online prelicensing instruction, 3226  
including instruction about compliance with the requirements 3227  
specified in this chapter, inspection safety, report writing, 3228  
and any other administrative matters required by the board. 3229

(3) The curriculum satisfies any other requirements the 3230  
board established in rules it adopts. 3231

(D) The board shall determine the equivalency of field 3232  
experience that a person may elect to complete to satisfy the 3233  
proof of experience requirement specified in division (D)(6) of 3234  
section 4764.07 of the Revised Code. The board shall approve 3235  
only a curriculum of experience that includes a requirement that 3236  
a person, to successfully complete the curriculum, must perform 3237  
at least forty hours of work in the home inspection field that 3238  
allows the person to obtain practical experience or training 3239  
regarding home inspections. The board shall approve only a 3240  
curriculum of experience that includes a requirement that a 3241  
person, to successfully complete the curriculum, must complete a 3242  
peer review session with a licensed home inspector approved by 3243  
the board before applying for a license. The peer review session 3244  
may be used as part of the required eighty hours of prelicensing 3245  
education. 3246

**Sec. 4764.08.** During each three-year period that a license 3247  
is valid, a licensed home inspector shall successfully complete 3248  
not less than ~~fourteen~~ forty-two hours of continuing education 3249  
instruction ~~annually~~ during the three-year licensing period in 3250  
courses or programs directly applicable to the standards of 3251

practice and requirements specified in rules adopted by the Ohio 3252  
home inspector board pursuant to division (A) (10) of section 3253  
4764.05 of the Revised Code. 3254

The superintendent of real estate and professional 3255  
licensing shall accept only those courses and programs the 3256  
superintendent approves in accordance with division (A) (8) of 3257  
section 4764.06 of the Revised Code prior to the date the 3258  
licensed home inspector completes the course or program. The 3259  
superintendent shall not include parallel inspections completed 3260  
by a person for credit toward satisfying the continuing 3261  
education requirements specified in this section. 3262

**Sec. 4771.05.** The Ohio athletic commission, established 3263  
under section 3773.33 of the Revised Code, shall do all of the 3264  
following: 3265

(A) Review the application form of an applicant for 3266  
registration as an athlete agent; 3267

(B) Issue and renew biennial certificates of registration 3268  
for an athlete agent pursuant to this chapter; 3269

(C) Maintain records of every athlete agent registered in 3270  
this state, including the agent's business and residential 3271  
address, and the date and number of the agent's registration; 3272

(D) Establish an application form to be completed by an 3273  
individual seeking registration as an athlete agent; 3274

~~(E) Establish a fee for the registration, and renewal of~~ 3275  
~~the registration, of an individual as an athlete agent in an~~ 3276  
~~amount necessary to generate sufficient funds to cover the cost~~ 3277  
~~of administering and enforcing this chapter;~~ 3278

~~(F)~~ Adopt rules in accordance with Chapter 119. of the 3279

Revised Code to carry out the purposes of this chapter. 3280

**Sec. 4771.07.** (A) Each individual who desires to serve as 3281  
an athlete agent within this state shall first file an 3282  
application for registration with the Ohio athletic commission. 3283  
The applicant shall apply using a form prescribed by the 3284  
commission and shall provide all the following information: 3285

(1) The name and residential address of the applicant; 3286

(2) The address of the primary location in which the 3287  
applicant wishes to conduct business as an athlete agent; 3288

(3) The type of business conducted or the occupation held 3289  
by the applicant during the five years immediately preceding 3290  
application; 3291

(4) The location and evidence of a trust fund established 3292  
in accordance with division (B) of section 4771.12 of the 3293  
Revised Code and rules adopted by the commission; 3294

(5) The name and address of all persons who have a 3295  
financial interest in the business operation of the applicant, 3296  
or who are compensated for the solicitation or recruitment of 3297  
athletes on behalf of the applicant, except for salaried 3298  
employees who receive no commission or bonus pursuant to any 3299  
agent or professional sports services contract; 3300

(6) Any other information deemed necessary by the 3301  
commission. 3302

(B) The applicant shall submit with the application for 3303  
registration an affidavit or certificate of completion 3304  
describing all formal training or practical experience completed 3305  
by the applicant in any of the following areas: 3306

(1) Contracts; 3307

- (2) Contract negotiations; 3308
- (3) Complaint resolution; 3309
- (4) Arbitration; 3310
- (5) Dispute resolution. 3311

An attorney admitted to practice law in this state shall 3312  
submit with the application a certificate of good standing 3313  
issued by the supreme court of Ohio in lieu of an affidavit or 3314  
certificate otherwise required under this division. 3315

(C) An applicant shall submit with the application for 3316  
registration an application fee ~~in an amount determined by the~~ 3317  
~~commission pursuant to division (F) of section 4771.05 of the~~ 3318  
~~Revised Code of four hundred dollars~~ and proof of one of the 3319  
securities required under section ~~477.11~~ 4771.11 of the Revised 3320  
Code. 3321

(D) An athlete agent shall notify the commission of any 3322  
change in business location or address during the period of 3323  
application for registration or during the period of time the 3324  
registration of the athlete agent is valid. 3325

**Sec. 4771.08.** (A) Upon receipt of all the materials 3326  
required for application for registration under section 4771.07 3327  
of the Revised Code, the Ohio athletic commission shall evaluate 3328  
the information provided and issue a certificate of registration 3329  
to the applicant, unless the commission finds that the applicant 3330  
or an employee or representative of the applicant has committed 3331  
any of the acts described in division (A) of section 4771.18 of 3332  
the Revised Code. 3333

Notwithstanding the requirements for a certificate of 3334  
registration under this chapter, the commission shall issue a 3335

certificate of registration in accordance with Chapter 4796. of 3336  
the Revised Code to an applicant if either of the following 3337  
applies: 3338

(1) The applicant is registered in another state. 3339

(2) The applicant has satisfactory work experience, a 3340  
government certification, or a private certification as 3341  
described in that chapter as an athlete agent in a state that 3342  
does not issue that certificate of registration. 3343

(B) The commission may issue a temporary certificate of 3344  
registration, effective for a period of up to ninety days after 3345  
the issuance of the temporary registration, to a nonresident 3346  
athlete agent who is registered as an athlete agent in another 3347  
state, or to a person who has not submitted all the material 3348  
required under section 4771.07 of the Revised Code, but who the 3349  
commission determines to have submitted sufficient material to 3350  
warrant the issuance of a temporary certificate. Chapter 4796. 3351  
of the Revised Code does not apply to a temporary certificate of 3352  
registration issued under this division. 3353

(C) The registration of an athlete agent with the 3354  
commission is valid for a period of two years after the date the 3355  
certificate of registration is issued. An athlete agent shall 3356  
file an application for the renewal of a registration with the 3357  
commission at least thirty days prior to the expiration of the 3358  
registration of the athlete agent. An application for renewal 3359  
shall be accompanied by a renewal fee ~~in an amount determined by~~ 3360  
~~the commission pursuant to division (F) of section 4771.05 of~~ 3361  
~~the Revised Code~~ of four hundred dollars. 3362

(D) Each certificate of registration issued by the 3363  
commission to an athlete agent shall contain all the following 3364

information: 3365

(1) The name of the athlete agent; 3366

(2) The address of the primary location in which the 3367  
athlete agent is authorized to conduct business as an athlete 3368  
agent; 3369

(3) A registration number for the athlete agent and the 3370  
date of issuance of the registration. 3371

(E) No registration or certificate of registration is 3372  
valid for any individual other than the athlete agent to whom it 3373  
is issued. 3374

(F) The commission is not liable for the acts of an 3375  
athlete agent who is registered with the commission. 3376

**Sec. 4774.03.** (A) Except as provided in division (D) of 3377  
this section, an individual seeking a license to practice as a 3378  
radiologist assistant shall file with the state medical board a 3379  
written application on a form prescribed and supplied by the 3380  
board. The application shall include all the information the 3381  
board considers necessary to process the application, including 3382  
evidence satisfactory to the board that the applicant meets the 3383  
requirements specified in division (B) of this section. 3384

At the time an application is submitted, the applicant 3385  
shall pay the board ~~the application a fee specified by the board~~ 3386  
~~in rules adopted under section 4774.11 of the Revised Code one~~ 3387  
hundred dollars. No part of the fee shall be returned. 3388

(B) Except as provided in division (D) of this section, to 3389  
be eligible to receive a license to practice as a radiologist 3390  
assistant, an applicant shall meet all of the following 3391  
requirements: 3392

- (1) Be at least eighteen years of age; 3393
- (2) Hold a current, valid license as a radiographer under 3394  
Chapter 4773. of the Revised Code; 3395
- (3) Have attained a baccalaureate degree or 3396  
postbaccalaureate certificate from an advanced academic program 3397  
encompassing a nationally recognized radiologist assistant 3398  
curriculum that includes a radiologist-directed clinical 3399  
preceptorship; 3400
- (4) Hold current certification as a registered radiologist 3401  
assistant from the American registry of radiologic technologists 3402  
and have attained the certification by meeting the standard 3403  
certification requirements established by the registry, 3404  
including the registry's requirements for documenting clinical 3405  
education in the form of a clinical portfolio and passing an 3406  
examination to determine competence to practice; 3407
- (5) Hold current certification in advanced cardiac life 3408  
support. 3409
- (C) The board shall review all applications received under 3410  
this section. Not later than sixty days after receiving an 3411  
application the board considers to be complete, the board shall 3412  
determine whether the applicant meets the requirements to 3413  
receive a license to practice as a radiologist assistant. 3414
- (D) The board shall issue a license to practice as a 3415  
radiologist assistant in accordance with Chapter 4796. of the 3416  
Revised Code to an applicant if either of the following applies: 3417
- (1) The applicant holds a license in another state. 3418
- (2) The applicant has satisfactory work experience, a 3419  
government certification, or a private certification as 3420

described in that chapter as a radiologist assistant in a state 3421  
that does not issue that license. 3422

**Sec. 4774.06.** (A) An individual seeking to renew a license 3423  
to practice as a radiologist assistant shall, on or before the 3424  
license's expiration date, apply to the state medical board for 3425  
renewal. The board shall provide renewal notices to license 3426  
holders at least one month prior to the expiration date. 3427

Renewal applications shall be submitted to the board in a 3428  
manner prescribed by the board. Each application shall be 3429  
accompanied by a biennial renewal fee ~~specified by the board in~~ 3430  
~~rules adopted under section 4774.11 of the Revised Code~~ one 3431  
hundred dollars. 3432

The applicant shall report any criminal offense that 3433  
constitutes grounds for refusing to issue a license under 3434  
section 4774.13 of the Revised Code to which the applicant has 3435  
pleaded guilty, of which the applicant has been found guilty, or 3436  
for which the applicant has been found eligible for intervention 3437  
in lieu of conviction, since last signing an application for a 3438  
license to practice as a radiologist assistant. 3439

(B) To be eligible for renewal, a radiologist assistant 3440  
shall certify to the board that the assistant has maintained 3441  
both of the following: 3442

(1) A license as a radiographer under Chapter 4773. of the 3443  
Revised Code; 3444

(2) Certification as a registered radiologist assistant 3445  
from the American registry of radiologic technologists by 3446  
meeting the registry's requirements for annual registration, 3447  
including completion of the continuing education requirements 3448  
established by the registry. 3449

(C) If an applicant submits a renewal application that the board considers to be complete and qualifies for renewal pursuant to division (B) of this section, the board shall issue to the applicant a renewed license to practice as a radiologist assistant.

(D) A license that is not renewed on or before its expiration date is automatically suspended on its expiration date, subject to the provisions of section 119.06 of the Revised Code specifying that an applicant who appropriately files a renewal application is not required to discontinue practicing merely because the board has failed to act on the application.

If a license has been suspended pursuant to this division for two years or less, the board shall reinstate the license upon an applicant's submission of a renewal application, the biennial renewal fee, and the applicable monetary penalty. The penalty for reinstatement is twenty-five dollars.

If a license has been suspended pursuant to this division for more than two years, it may be restored. Subject to section 4774.061 of the Revised Code, the board may restore the license upon an applicant's submission of a restoration application, the biennial renewal fee, and the applicable monetary penalty and compliance with sections 4776.01 to 4776.04 of the Revised Code. The board shall not restore a license unless the board, in its discretion, decides that the results of the criminal records check do not make the applicant ineligible for a certificate issued pursuant to section 4774.04 of the Revised Code. The penalty for restoration is fifty dollars.

**Sec. 4774.11.** (A) The state medical board shall adopt rules in accordance with Chapter 119. of the Revised Code to implement and administer this chapter. In adopting the rules,

the board shall take into consideration the guidelines adopted 3480  
by the American college of radiology, the American society of 3481  
radiologic technologists, and the American registry of 3482  
radiologic technologists. 3483

(B) The rules adopted under this section shall include all 3484  
of the following: 3485

(1) Standards and procedures for issuing and renewing 3486  
licenses to practice as a radiologist assistant; 3487

~~(2) Application fees for an initial or renewed license;~~ 3488

~~(3)~~ Any additional radiologic procedures that radiologist 3489  
assistants may perform pursuant to division (A) (5) of section 3490  
4774.08 of the Revised Code and the level of supervision that 3491  
the supervising radiologist is required to provide pursuant to 3492  
section 4774.10 of the Revised Code; 3493

~~(4)~~ (3) Definitions of "general anesthesia," "deep 3494  
sedation," "moderate sedation," and "minimal sedation"; 3495

~~(5)~~ (4) Any other standards and procedures the board 3496  
considers necessary to govern the practice of radiologist 3497  
assistants, the supervisory relationship between radiologist 3498  
assistants and supervising radiologists, and the administration 3499  
and enforcement of this chapter. 3500

**Section 2.** That existing sections 101.63, 103.27, 1531.40, 3501  
1533.631, 1533.72, 1533.721, 1561.13, 1561.17, 1565.04, 3502  
3319.2213, 3319.51, 3701.83, 3704.14, 3723.02, 3723.03, 3723.04, 3503  
3723.05, 3723.06, 3723.07, 3723.08, 3723.09, 3723.10, 3723.11, 3504  
3723.13, 3723.15, 3723.16, 3723.17, 3723.99, 3742.03, 3742.05, 3505  
3748.01, 3748.04, 3748.05, 3748.11, 3748.13, 3748.16, 3773.31, 3506  
3773.35, 3773.36, 3773.43, 3773.45, 3773.54, 3776.05, 4730.10, 3507  
4730.14, 4731.09, 4731.281, 4731.294, 4731.297, 4731.52, 3508

4759.08, 4764.05, 4764.08, 4771.05, 4771.07, 4771.08, 4774.03, 3509  
4774.06, and 4774.11 of the Revised Code are hereby repealed. 3510

**Section 3.** That sections 3723.081, 3748.12, and 3748.121 3511  
of the Revised Code are hereby repealed. 3512

**Section 4.** (A) For the purposes of this section, 3513  
"occupational licensing board" has the same meaning as in 3514  
section 101.62 of the Revised Code. 3515

(B) Pursuant to division (E) of section 101.62 of the 3516  
Revised Code, the following occupational licensing boards are 3517  
hereby renewed and, subject to the revisions prescribed by this 3518  
act, the statutes creating, empowering, governing, and 3519  
regulating those boards are continued: 3520

(1) The Ohio Athletic Commission created under section 3521  
3773.33 of the Revised Code; 3522

(2) The Ohio Construction Industry Licensing Board within 3523  
the Department of Commerce created under section 4740.02 of the 3524  
Revised Code; 3525

(3) The Historical Boilers Licensing Board within the 3526  
Department of Commerce created under section 4104.33 of the 3527  
Revised Code; 3528

(4) The Ohio Home Inspector Licensing Board within the 3529  
Department of Commerce created under section 4764.04 of the 3530  
Revised Code; 3531

(5) The Division of Securities within the Department of 3532  
Commerce described in Chapter 1707. of the Revised Code; 3533

(6) The State Board of Education created under section 3534  
3301.01 of the Revised Code; 3535

(7) The Ohio Environmental Protection Agency created under 3536  
section 121.02 of the Revised Code; 3537

(8) The Ohio Department of Health described in Chapter 3538  
3701. of the Revised Code; 3539

(9) The State Medical Board created under section 4731.01 3540  
of the Revised Code; 3541

(10) The Ohio Department of Natural Resources described in 3542  
Chapter 1501. of the Revised Code. 3543

(C) The occupational licensing boards listed in this 3544  
section shall be triggered to expire under division (B) of 3545  
section 101.62 of the Revised Code at the end of the thirty- 3546  
first day of December of the sixth year following enactment of 3547  
this section. 3548

**Section 5.** (A) Notwithstanding the amendment or repeal of 3549  
sections 3723.02, 3723.03, 3723.04, 3723.05, 3723.06, 3723.07, 3550  
3723.08, 3723.081, 3723.09, 3723.10, 3723.11, 3723.13, 3723.15, 3551  
3723.16, 3723.17, and 3723.99 of the Revised Code by this act, 3552  
which no longer provide for radon tester licenses and radon 3553  
mitigation contractor licenses, a valid radon tester license or 3554  
radon mitigation contractor license held by an individual, 3555  
business entity, or government entity on or after the effective 3556  
date of this section is valid for the duration of that license 3557  
term. 3558

(B) An individual who holds a valid radon tester license 3559  
issued under former section 3723.06 of the Revised Code as of 3560  
the effective date of this section may maintain and renew the 3561  
individual's radon tester license in accordance with rules 3562  
adopted by the director of health under former section 3723.09 3563  
of the Revised Code until December 31, 2026. 3564

A business entity or government entity that holds a valid 3565  
radon mitigation contractor license issued under former section 3566  
3723.06 of the Revised Code as of the effective date of this 3567  
section may maintain and renew the business entity's or 3568  
government entity's radon mitigation contractor license in 3569  
accordance with rules adopted by the director of health under 3570  
former section 3723.09 of the Revised Code until December 31, 3571  
2026. 3572

(C) The director may issue initial radon tester licenses 3573  
and radon mitigation contractor licenses until December 31, 3574  
2026. 3575