

## As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 689

Representative White, A.

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To amend sections 109.57, 109.60, 2953.32, and 1  
5122.311 of the Revised Code and to amend 2  
Section 221.40 of H.B. 96 of the 136th General 3  
Assembly, as subsequently amended, to align and 4  
modernize fingerprinting and disposition 5  
reporting. 6

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

**Section 1.** That sections 109.57, 109.60, 2953.32, and 7  
5122.311 of the Revised Code be amended to read as follows: 8

**Sec. 109.57.** (A)(1) The superintendent of the bureau of 9  
criminal identification and investigation shall procure from 10  
wherever procurable and file for record photographs, pictures, 11  
descriptions, fingerprints, measurements, and other information 12  
that may be pertinent of all persons who have been convicted of 13  
committing within this state a felony, any crime constituting a 14  
misdemeanor on the first offense and a felony on subsequent 15  
offenses, ~~or~~ any misdemeanor described in division (A)(1)(a), 16  
(A)(4)(a), or (A)(6)(a) of section 109.572 of the Revised Code, 17  
or an offense for which the person was arrested, of all children 18  
under eighteen years of age who have been adjudicated delinquent 19  
children for committing within this state an act that would be a 20  
felony or an offense of violence if committed by an adult or who 21

have been convicted of or pleaded guilty to committing within 22  
this state a felony or an offense of violence, and of all well- 23  
known and habitual criminals. The person in charge of any 24  
county, multiconty, municipal, municipal-county, or 25  
multiconty-municipal jail or workhouse, community-based 26  
correctional facility, halfway house, alternative residential 27  
facility, or state correctional institution and the person in 28  
charge of any state institution having custody of a person 29  
suspected of having committed a felony, any crime constituting a 30  
misdemeanor on the first offense and a felony on subsequent 31  
offenses, ~~or~~—any misdemeanor described in division (A) (1) (a), 32  
(A) (4) (a), or (A) (6) (a) of section 109.572 of the Revised Code, 33  
or an offense for which the person was arrested if the person 34  
was not previously fingerprinted for that offense, or having 35  
custody of a child under eighteen years of age with respect to 36  
whom there is probable cause to believe that the child may have 37  
committed an act that would be a felony or an offense of 38  
violence if committed by an adult shall furnish such material to 39  
the superintendent of the bureau. Fingerprints, photographs, or 40  
other descriptive information of a child who is under eighteen 41  
years of age, has not been arrested or otherwise taken into 42  
custody for committing an act that would be a felony or an 43  
offense of violence who is not in any other category of child 44  
specified in this division, if committed by an adult, has not 45  
been adjudicated a delinquent child for committing an act that 46  
would be a felony or an offense of violence if committed by an 47  
adult, has not been convicted of or pleaded guilty to committing 48  
a felony or an offense of violence, and is not a child with 49  
respect to whom there is probable cause to believe that the 50  
child may have committed an act that would be a felony or an 51  
offense of violence if committed by an adult shall not be 52  
procured by the superintendent or furnished by any person in 53

charge of any county, multiconty, municipal, municipal-county, 54  
or multiconty-municipal jail or workhouse, community-based 55  
correctional facility, halfway house, alternative residential 56  
facility, or state correctional institution, except as 57  
authorized in section 2151.313 of the Revised Code. 58

(2) Every clerk of a court of record in this state, other 59  
than the supreme court or a court of appeals, shall ~~send~~ 60  
electronically submit in the manner prescribed by the 61  
superintendent of the bureau to the superintendent of the bureau 62  
a weekly report containing a summary of each case involving a 63  
felony, involving any crime constituting a misdemeanor on the 64  
first offense and a felony on subsequent offenses, involving a 65  
misdemeanor described in division (A)(1)(a), (A)(4)(a), or (A) 66  
(6)(a) of section 109.572 of the Revised Code, involving a case 67  
where a person was fingerprinted upon arrest and charged, or 68  
involving an adjudication in a case in which a child under 69  
eighteen years of age was alleged to be a delinquent child for 70  
committing an act that would be a felony or an offense of 71  
violence if committed by an adult. The clerk of the court of 72  
common pleas shall include in the report and summary the clerk 73  
sends under this division all information described in divisions 74  
(A)(2)(a) to (f) of this section regarding a case before the 75  
court of appeals that is served by that clerk. The summary shall 76  
be ~~written on the standard forms furnished submitted in the form~~ 77  
and manner prescribed by the superintendent pursuant to division 78  
(B) of this section and shall include the following information: 79

(a) The incident tracking number ~~contained on the standard~~ 80  
~~forms furnished by the superintendent pursuant to division (B)~~ 81  
~~of this section assigned to the person or child at the time of~~ 82  
being fingerprinted; 83

(b) The style and number of the case;	84
(c) The date of arrest, offense, summons, or arraignment;	85
(d) The date that the person was convicted of or pleaded guilty to the offense, adjudicated a delinquent child for committing the act that would be a felony or an offense of violence if committed by an adult, found not guilty of the offense, or found not to be a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult, the date of an entry dismissing the charge, an entry declaring a mistrial of the offense in which the person is discharged, an entry finding that the person or child is not competent to stand trial, or an entry of a nolle prosequi, or the date of any other determination that constitutes final resolution of the case;	86 87 88 89 90 91 92 93 94 95 96 97
(e) A statement of the original charge with the section of the Revised Code that was alleged to be violated;	98 99
(f) If the person or child was convicted, pleaded guilty, or was adjudicated a delinquent child, the sentence or terms of probation imposed or any other disposition of the offender or the delinquent child.	100 101 102 103
If the offense involved the disarming of a law enforcement officer or an attempt to disarm a law enforcement officer, the clerk shall clearly state that fact in the summary, and the superintendent shall ensure that a clear statement of that fact is placed in the bureau's records.	104 105 106 107 108
<u>(3)</u> <u>(3)</u> (a) The superintendent shall cooperate with and assist sheriffs, chiefs of police, and other law enforcement officers in the establishment of a complete system of criminal identification and in obtaining fingerprints and other means of	109 110 111 112

identification of all persons arrested on a charge of a felony, 113  
any crime constituting a misdemeanor on the first offense and a 114  
felony on subsequent offenses, or a misdemeanor described in 115  
division (A) (1) (a), (A) (4) (a), or (A) (6) (a) of section 109.572 116  
of the Revised Code and of all children under eighteen years of 117  
age arrested or otherwise taken into custody for committing an 118  
act that would be a felony or an offense of violence if 119  
committed by an adult. The superintendent shall prepare, 120  
maintain, and publish an accurate list of offenses reportable 121  
under division (A) (2) of this section, and provide training 122  
regarding the proper methods of reporting fingerprints and 123  
dispositions to the bureau. 124

(b) The superintendent also shall file for record the 125  
fingerprint impressions of all persons confined in a county, 126  
multicounty, municipal, municipal-county, or multicounty- 127  
municipal jail or workhouse, community-based correctional 128  
facility, halfway house, alternative residential facility, or 129  
state correctional institution for the violation of state laws 130  
and of all children under eighteen years of age who are confined 131  
in a county, multicounty, municipal, municipal-county, or 132  
multicounty-municipal jail or workhouse, community-based 133  
correctional facility, halfway house, alternative residential 134  
facility, or state correctional institution or in any facility 135  
for delinquent children for committing an act that would be a 136  
felony or an offense of violence if committed by an adult, and 137  
any other information that the superintendent may receive from 138  
law enforcement officials of the state and its political 139  
subdivisions. 140

(4) The superintendent shall carry out Chapter 2950. of 141  
the Revised Code with respect to the registration of persons who 142  
are convicted of or plead guilty to a sexually oriented offense 143

or a child-victim oriented offense and with respect to all other 144  
duties imposed on the bureau under that chapter. 145

(5) The bureau shall perform centralized recordkeeping 146  
functions for criminal history records and services in this 147  
state for purposes of the national crime prevention and privacy 148  
compact set forth in section 109.571 of the Revised Code and is 149  
the criminal history record repository as defined in that 150  
section for purposes of that compact. The superintendent or the 151  
superintendent's designee is the compact officer for purposes of 152  
that compact and shall carry out the responsibilities of the 153  
compact officer specified in that compact. 154

(6) The superintendent shall, upon request, assist a 155  
county coroner in the identification of a deceased person 156  
through the use of fingerprint impressions obtained pursuant to 157  
division (A) (1) of this section or collected pursuant to section 158  
109.572 or 311.41 of the Revised Code. 159

(B) The superintendent shall prepare and furnish to every 160  
county, multiconty, municipal, municipal-county, or 161  
multiconty-municipal jail or workhouse, community-based 162  
correctional facility, halfway house, alternative residential 163  
facility, or state correctional institution and to every clerk 164  
of a court in this state specified in division (A) (2) of this 165  
section standard forms for reporting the information required 166  
under division (A) of this section. The standard forms that the 167  
superintendent prepares pursuant to this division may be in a 168  
tangible format, in an electronic format, or in both tangible 169  
formats and electronic formats. 170

(C) (1) The superintendent may operate a center for 171  
electronic, automated, or other data processing for the storage 172  
and retrieval of information, data, and statistics pertaining to 173

criminals and to children under eighteen years of age who are 174  
adjudicated delinquent children for committing an act that would 175  
be a felony or an offense of violence if committed by an adult, 176  
criminal activity, crime prevention, law enforcement, and 177  
criminal justice, and may establish and operate a statewide 178  
communications network to be known as the Ohio law enforcement 179  
gateway to gather and disseminate information, data, and 180  
statistics for the use of law enforcement agencies and for other 181  
uses specified in this division. The superintendent may gather, 182  
store, retrieve, and disseminate information, data, and 183  
statistics that pertain to children who are under eighteen years 184  
of age and that are gathered pursuant to sections 109.57 to 185  
109.61 of the Revised Code together with information, data, and 186  
statistics that pertain to adults and that are gathered pursuant 187  
to those sections. 188

(2) The superintendent or the superintendent's designee 189  
shall gather information of the nature described in division (C) 190  
(1) of this section that pertains to the offense and delinquency 191  
history of a person who has been convicted of, pleaded guilty 192  
to, or been adjudicated a delinquent child for committing a 193  
sexually oriented offense or a child-victim oriented offense for 194  
inclusion in the state registry of sex offenders and child- 195  
victim offenders maintained pursuant to division (A)(1) of 196  
section 2950.13 of the Revised Code and in the internet database 197  
operated pursuant to division (A)(13) of that section and for 198  
possible inclusion in the internet database operated pursuant to 199  
division (A)(11) of that section. 200

(3) In addition to any other authorized use of 201  
information, data, and statistics of the nature described in 202  
division (C)(1) of this section, the superintendent or the 203  
superintendent's designee may provide and exchange the 204

information, data, and statistics pursuant to the national crime prevention and privacy compact as described in division (A) (5) of this section. 205  
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(4) The Ohio law enforcement gateway shall contain the name, confidential address, and telephone number of program participants in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code. 208  
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(5) The attorney general may adopt rules under Chapter 119. of the Revised Code establishing guidelines for the operation of and participation in the Ohio law enforcement gateway. The rules may include criteria for granting and restricting access to information gathered and disseminated through the Ohio law enforcement gateway. The attorney general shall adopt rules under Chapter 119. of the Revised Code that grant access to information in the gateway regarding an address confidentiality program participant under sections 111.41 to 111.47 of the Revised Code to only chiefs of police, village marshals, county sheriffs, county prosecuting attorneys, and a designee of each of these individuals. The attorney general shall permit an office of a county coroner, the state medical board, and board of nursing to access and view, but not alter, information gathered and disseminated through the Ohio law enforcement gateway. 212  
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The attorney general may appoint a steering committee to advise the attorney general in the operation of the Ohio law enforcement gateway that is comprised of persons who are representatives of the criminal justice agencies in this state that use the Ohio law enforcement gateway and is chaired by the superintendent or the superintendent's designee. 228  
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(D) (1) The following are not public records under section 234

149.43 of the Revised Code:	235
(a) Information and materials furnished to the superintendent pursuant to division (A) of this section;	236 237
(b) Information, data, and statistics gathered or disseminated through the Ohio law enforcement gateway pursuant to division (C)(1) of this section;	238 239 240
(c) Information and materials furnished to any board or person under division (F) or (G) of this section.	241 242
(2) The superintendent or the superintendent's designee shall gather and retain information so furnished under division (A) of this section that pertains to the offense and delinquency history of a person who has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense for the purposes described in division (C)(2) of this section.	243 244 245 246 247 248 249
(E) (1) The attorney general shall adopt rules, in accordance with Chapter 119. of the Revised Code and subject to division (E)(2) of this section, setting forth the procedure by which a person may receive or release information gathered by the superintendent pursuant to division (A) of this section. A reasonable fee may be charged for this service. If a temporary employment service submits a request for a determination of whether a person the service plans to refer to an employment position has been convicted of or pleaded guilty to an offense listed or described in division (A)(1), (2), or (3) of section 109.572 of the Revised Code, the request shall be treated as a single request and only one fee shall be charged.	250 251 252 253 254 255 256 257 258 259 260 261
(2) Except as otherwise provided in this division or division (E)(3) or (4) of this section, a rule adopted under	262 263

division (E) (1) of this section may provide only for the release 264  
of information gathered pursuant to division (A) of this section 265  
that relates to the conviction of a person, or a person's plea 266  
of guilty to, a criminal offense or to the arrest of a person as 267  
provided in division (E) (3) of this section. The superintendent 268  
shall not release, and the attorney general shall not adopt any 269  
rule under division (E) (1) of this section that permits the 270  
release of, any information gathered pursuant to division (A) of 271  
this section that relates to an adjudication of a child as a 272  
delinquent child, or that relates to a criminal conviction of a 273  
person under eighteen years of age if the person's case was 274  
transferred back to a juvenile court under division (B) (2) or 275  
(3) of section 2152.121 of the Revised Code and the juvenile 276  
court imposed a disposition or serious youthful offender 277  
disposition upon the person under either division, unless either 278  
of the following applies with respect to the adjudication or 279  
conviction: 280

(a) The adjudication or conviction was for a violation of 281  
section 2903.01 or 2903.02 of the Revised Code. 282

(b) The adjudication or conviction was for a sexually 283  
oriented offense, the juvenile court was required to classify 284  
the child a juvenile offender registrant for that offense under 285  
section 2152.82, 2152.83, or 2152.86 of the Revised Code, that 286  
classification has not been removed, and the records of the 287  
adjudication or conviction have not been sealed or expunged 288  
pursuant to sections 2151.355 to 2151.358 or sealed or expunged 289  
pursuant to section 2953.32 of the Revised Code. 290

(3) A rule adopted under division (E) (1) of this section 291  
may provide for the release of information gathered pursuant to 292  
division (A) of this section that relates to the arrest of a 293

person who is eighteen years of age or older when the person has 294  
not been convicted as a result of that arrest if any of the 295  
following applies: 296

(a) The arrest was made outside of this state. 297

(b) A criminal action resulting from the arrest is 298  
pending, and the superintendent confirms that the criminal 299  
action has not been resolved at the time the criminal records 300  
check is performed. 301

(c) The bureau cannot reasonably determine whether a 302  
criminal action resulting from the arrest is pending, and not 303  
more than one year has elapsed since the date of the arrest. 304

(4) A rule adopted under division (E)(1) of this section 305  
may provide for the release of information gathered pursuant to 306  
division (A) of this section that relates to an adjudication of 307  
a child as a delinquent child if not more than five years have 308  
elapsed since the date of the adjudication, the adjudication was 309  
for an act that would have been a felony if committed by an 310  
adult, the records of the adjudication have not been sealed or 311  
expunged pursuant to sections 2151.355 to 2151.358 of the 312  
Revised Code, and the request for information is made under 313  
division (F) of this section or under section 109.572 of the 314  
Revised Code. In the case of an adjudication for a violation of 315  
the terms of community control or supervised release, the five- 316  
year period shall be calculated from the date of the 317  
adjudication to which the community control or supervised 318  
release pertains. 319

(F) (1) As used in division (F) (2) of this section, "head 320  
start agency" means an entity in this state that has been 321  
approved to be an agency for purposes of subchapter II of the 322

"Community Economic Development Act," 95 Stat. 489 (1981), 42	323
U.S.C.A. 9831, as amended.	324
(2) (a) In addition to or in conjunction with any request	325
that is required to be made under section 109.572, 2151.86,	326
3301.32, 3301.541, division (C) of section 3310.58, or section	327
3319.39, 3319.391, 3327.10, 3740.11, 5103.053, 5104.013,	328
5123.081, or 5153.111 of the Revised Code or that is made under	329
section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised	330
Code, the board of education of any school district; the	331
director of developmental disabilities; any county board of	332
developmental disabilities; any provider or subcontractor as	333
defined in section 5123.081 of the Revised Code; the chief	334
administrator of any chartered nonpublic school; the chief	335
administrator of a registered private provider that is not also	336
a chartered nonpublic school; the chief administrator of any	337
home health agency; the chief administrator of or person	338
operating any child care center, type A family child care home,	339
or type B family child care home licensed under Chapter 5104. of	340
the Revised Code; the chief administrator of or person operating	341
any authorized private before and after school care program; the	342
chief administrator of any head start agency; the executive	343
director of a public children services agency; the operator of a	344
residential facility, as defined in section 2151.46 of the	345
Revised Code; a private company described in section 3314.41,	346
3319.392, 3326.25, or 3328.20 of the Revised Code; or an	347
employer described in division (J)(2) of section 3327.10 of the	348
Revised Code may request that the superintendent of the bureau	349
investigate and determine, with respect to any individual who	350
has applied for employment in any position after October 2,	351
1989, or any individual wishing to apply for employment with a	352
board of education may request, with regard to the individual,	353

whether the bureau has any information gathered under division 354  
(A) of this section that pertains to that individual. On receipt 355  
of the request, subject to division (E) (2) of this section, the 356  
superintendent shall determine whether that information exists 357  
and, upon request of the person, board, or entity requesting 358  
information, also shall request from the federal bureau of 359  
investigation any criminal records it has pertaining to that 360  
individual. The superintendent or the superintendent's designee 361  
also may request criminal history records from other states or 362  
the federal government pursuant to the national crime prevention 363  
and privacy compact set forth in section 109.571 of the Revised 364  
Code. Within thirty days of the date that the superintendent 365  
receives a request, subject to division (E) (2) of this section, 366  
the superintendent shall send to the board, entity, or person a 367  
report of any information that the superintendent determines 368  
exists, including information contained in records that have 369  
been sealed under section 2953.32 of the Revised Code, and, 370  
within thirty days of its receipt, subject to division (E) (2) of 371  
this section, shall send the board, entity, or person a report 372  
of any information received from the federal bureau of 373  
investigation, other than information the dissemination of which 374  
is prohibited by federal law. 375

(b) When a board of education or a registered private 376  
provider is required to receive information under this section 377  
as a prerequisite to employment of an individual pursuant to 378  
division (C) of section 3310.58 or section 3319.39 of the 379  
Revised Code, it may accept a certified copy of records that 380  
were issued by the bureau of criminal identification and 381  
investigation and that are presented by an individual applying 382  
for employment with the district in lieu of requesting that 383  
information itself. In such a case, the board shall accept the 384

certified copy issued by the bureau in order to make a photocopy 385  
of it for that individual's employment application documents and 386  
shall return the certified copy to the individual. In a case of 387  
that nature, a district or provider only shall accept a 388  
certified copy of records of that nature within one year after 389  
the date of their issuance by the bureau. 390

(c) Notwithstanding division (F)(2)(a) of this section, in 391  
the case of a request under section 3319.39, 3319.391, or 392  
3327.10 of the Revised Code only for criminal records maintained 393  
by the federal bureau of investigation, the superintendent shall 394  
not determine whether any information gathered under division 395  
(A) of this section exists on the person for whom the request is 396  
made. 397

(3) The state board of education or the department of 398  
education and workforce may request, with respect to any 399  
individual who has applied for employment after October 2, 1989, 400  
in any position with the state board or the department of 401  
education and workforce, any information that a school district 402  
board of education is authorized to request under division (F) 403  
(2) of this section, and the superintendent of the bureau shall 404  
proceed as if the request has been received from a school 405  
district board of education under division (F)(2) of this 406  
section. 407

(4) When the superintendent of the bureau receives a 408  
request for information under section 3319.291 of the Revised 409  
Code, the superintendent shall proceed as if the request has 410  
been received from a school district board of education and 411  
shall comply with divisions (F)(2)(a) and (c) of this section. 412

(G) In addition to or in conjunction with any request that 413  
is required to be made under section 3712.09, 3721.121, or 414

3740.11 of the Revised Code with respect to an individual who 415  
has applied for employment in a position that involves providing 416  
direct care to an older adult or adult resident, the chief 417  
administrator of a home health agency, hospice care program, 418  
home licensed under Chapter 3721. of the Revised Code, or adult 419  
day-care program operated pursuant to rules adopted under 420  
section 3721.04 of the Revised Code may request that the 421  
superintendent of the bureau investigate and determine, with 422  
respect to any individual who has applied after January 27, 423  
1997, for employment in a position that does not involve 424  
providing direct care to an older adult or adult resident, 425  
whether the bureau has any information gathered under division 426  
(A) of this section that pertains to that individual. 427

In addition to or in conjunction with any request that is 428  
required to be made under section 173.27 of the Revised Code 429  
with respect to an individual who has applied for employment in 430  
a position that involves providing ombudsman services to 431  
residents of long-term care facilities or recipients of 432  
community-based long-term care services, the state long-term 433  
care ombudsman, the director of aging, a regional long-term care 434  
ombudsman program, or the designee of the ombudsman, director, 435  
or program may request that the superintendent investigate and 436  
determine, with respect to any individual who has applied for 437  
employment in a position that does not involve providing such 438  
ombudsman services, whether the bureau has any information 439  
gathered under division (A) of this section that pertains to 440  
that applicant. 441

In addition to or in conjunction with any request that is 442  
required to be made under section 173.38 of the Revised Code 443  
with respect to an individual who has applied for employment in 444  
a direct-care position, the chief administrator of a provider, 445

as defined in section 173.39 of the Revised Code, may request 446  
that the superintendent investigate and determine, with respect 447  
to any individual who has applied for employment in a position 448  
that is not a direct-care position, whether the bureau has any 449  
information gathered under division (A) of this section that 450  
pertains to that applicant. 451

In addition to or in conjunction with any request that is 452  
required to be made under section 3712.09 of the Revised Code 453  
with respect to an individual who has applied for employment in 454  
a position that involves providing direct care to a pediatric 455  
respite care patient, the chief administrator of a pediatric 456  
respite care program may request that the superintendent of the 457  
bureau investigate and determine, with respect to any individual 458  
who has applied for employment in a position that does not 459  
involve providing direct care to a pediatric respite care 460  
patient, whether the bureau has any information gathered under 461  
division (A) of this section that pertains to that individual. 462

On receipt of a request under this division, the 463  
superintendent shall determine whether that information exists 464  
and, on request of the individual requesting information, shall 465  
also request from the federal bureau of investigation any 466  
criminal records it has pertaining to the applicant. The 467  
superintendent or the superintendent's designee also may request 468  
criminal history records from other states or the federal 469  
government pursuant to the national crime prevention and privacy 470  
compact set forth in section 109.571 of the Revised Code. Within 471  
thirty days of the date a request is received, subject to 472  
division (E)(2) of this section, the superintendent shall send 473  
to the requester a report of any information determined to 474  
exist, including information contained in records that have been 475  
sealed under section 2953.32 of the Revised Code, and, within 476

thirty days of its receipt, shall send the requester a report of 477  
any information received from the federal bureau of 478  
investigation, other than information the dissemination of which 479  
is prohibited by federal law. 480

(H) Information obtained by a government entity or person 481  
under this section is confidential and shall not be released or 482  
disseminated. 483

(I) The superintendent may charge a reasonable fee for 484  
providing information or criminal records under division (F) (2) 485  
or (G) of this section. 486

(J) As used in this section: 487

(1) "Pediatric respite care program" and "pediatric care 488  
patient" have the same meanings as in section 3712.01 of the 489  
Revised Code. 490

(2) "Sexually oriented offense" and "child-victim oriented 491  
offense" have the same meanings as in section 2950.01 of the 492  
Revised Code. 493

(3) "Registered private provider" means a nonpublic school 494  
or entity registered with the department of education and 495  
workforce under section 3310.41 of the Revised Code to 496  
participate in the autism scholarship program or section 3310.58 497  
of the Revised Code to participate in the Jon Peterson special 498  
needs scholarship program. 499

**Sec. 109.60.** ~~(A)(1)~~ (A)(1)(a) The sheriffs of the several 500  
counties and the chiefs of police of cities, immediately upon 501  
the arrest of any person for any felony, on suspicion of any 502  
felony, for a crime constituting a misdemeanor on the first 503  
offense and a felony on subsequent offenses, or for any 504  
misdemeanor described in division (A)(1)(a), ~~(A)(8)(a)~~, or ~~(A)~~ 505

~~(10) (a) (A) (4) (a), or (A) (6) (a)~~ of section 109.572 of the Revised Code, and immediately upon the arrest or taking into custody of any child under eighteen years of age for committing an act that would be a felony or an offense of violence if committed by an adult or upon probable cause to believe that a child of that age may have committed an act that would be a felony or an offense of violence if committed by an adult, shall take the person's or child's fingerprints, or cause the same to be taken, according to the fingerprint system of identification ~~on in the forms furnished form and manner prescribed by the~~ superintendent of the bureau of criminal identification and investigation, and immediately shall electronically forward copies of the completed forms ~~in the manner prescribed by the~~ superintendent, any other description that may be required, and the history of the offense committed to the bureau to be classified and filed and submitted to the clerk of the court having jurisdiction over the prosecution of the offense or over the adjudication relative to the act.

(b) If a case for a person or child whose fingerprints were taken is sent directly to a grand jury for indictment and no charges are brought, the prosecuting authority to whom the case was referred shall notify the sheriff or chief of police, and the sheriff or chief of police shall notify the bureau that no charges were brought against the person or child. If a case for a person or child is sent directly to a grand jury for indictment and the case proceeds on a direct indictment, the court of common pleas shall order that the person's or child's fingerprints be taken if not previously taken, and the clerk of the court of common pleas shall report the case information and disposition to the bureau.

(c) If an offender is convicted of an offense that is

required to be reported to the bureau pursuant to section 109.57 537  
of the Revised Code, has not been fingerprinted in connection 538  
with the instant case, and is sentenced to a term of community 539  
control, the court shall order the offender be fingerprinted as 540  
a condition of community control. Upon being fingerprinted, the 541  
party responsible for obtaining the offender's fingerprints 542  
shall immediately electronically submit copies of the completed 543  
forms, any other description that may be required, and the 544  
history of the offense committed to the bureau to be classified 545  
and filed with the clerk of the court. 546

(2) Except as provided in division (B) of this section, if 547  
a person or child has not been arrested and first appears before 548  
a court or magistrate in response to a summons, or if a sheriff 549  
or chief of police has not taken, or caused to be taken, a 550  
person's or child's fingerprints in accordance with division (A) 551  
(1) of this section by the time of the arraignment or first 552  
appearance of the person or child, the court shall take the 553  
person's or child's fingerprints or shall order the person or 554  
child to appear before the sheriff or chief of police within 555  
twenty-four hours to have the person's or child's fingerprints 556  
taken. The sheriff or chief of police shall take the person's or 557  
child's fingerprints, or cause the fingerprints to be taken, 558  
according to the fingerprint system of identification ~~on-in~~ in the 559  
~~forms furnished~~ form and manner prescribed by the superintendent 560  
of the bureau of criminal identification and investigation and, 561  
immediately after the person's or child's arraignment or first 562  
appearance, electronically forward copies of the completed forms 563  
in the manner prescribed by the superintendent of the bureau, 564  
any other description that may be required, and the history of 565  
the offense committed to the bureau to be classified and filed 566  
and to the clerk of the court. 567

(3) Every court with jurisdiction over a case involving a person or child with respect to whom division (A)(1) or (2) of this section requires a sheriff or chief of police to take the person's or child's fingerprints shall inquire at the time of the person's or child's sentencing or adjudication whether or not the person or child has been fingerprinted pursuant to division (A)(1) or (2) of this section for the original arrest or court appearance upon which the sentence or adjudication is based. If the person or child was not fingerprinted for the original arrest or court appearance upon which the sentence or adjudication is based, the court shall take the person's or child's fingerprints or shall order the person or child to appear before the sheriff or chief of police within twenty-four hours to have the person's or child's fingerprints taken. If the court orders the person or child to appear before the sheriff or chief of police to have the person's or child's fingerprints taken, the sheriff or chief of police shall take the person's or child's fingerprints, or cause the fingerprints to be taken, according to the fingerprint system of identification ~~on—in the forms furnished form and manner prescribed~~ by the superintendent of the bureau of criminal identification and investigation and immediately electronically forward copies of the completed forms in the manner prescribed by the superintendent of the bureau, any other description that may be required, and the history of the offense committed to the bureau to be classified and filed and to the clerk of the court. The sheriff or chief of police shall take the person's or child's fingerprints, or cause the fingerprints to be taken, immediately upon being presented with the court order requiring fingerprints to be taken and provide those fingerprints to the court and bureau as described above.

(4) If a person or child is in the custody of a law

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enforcement agency or a detention facility, as defined in 599  
section 2921.01 of the Revised Code, and the chief law 600  
enforcement officer or chief administrative officer of the 601  
detention facility discovers that a warrant has been issued or a 602  
bill of information, indictment, or complaint, including 603  
offenses that occur while the person or child is in detention, 604  
has been filed alleging the person or child to have committed an 605  
offense or act other than the offense or act for which the 606  
person or child is in custody, and the other alleged offense or 607  
act is one for which fingerprints are to be taken pursuant to 608  
division (A)(1) of this section, the law enforcement agency or 609  
detention facility shall take the fingerprints of the person or 610  
child, or cause the fingerprints to be taken, according to the 611  
fingerprint system of identification ~~on in the forms furnished~~ 612  
~~form and manner prescribed by the superintendent of the bureau~~ 613  
of criminal identification and investigation and immediately 614  
electronically forward copies of the completed forms in the 615  
manner prescribed by the superintendent of the bureau, any other 616  
description that may be required, and the history of the offense 617  
committed to the bureau to be classified and filed and to the 618  
clerk of the court that issued the warrant, indictment, or 619  
complaint, or with which the bill of information was filed, and 620  
submit to the clerk of the court hearing the case, if different 621  
from the issuing court. 622

~~(5)~~(5) (a) If an accused is found not guilty of the offense 623  
charged or a nolle prosequi is entered in any case, or if any 624  
accused child under eighteen years of age is found not to be a 625  
delinquent child for committing an act that would be a felony or 626  
an offense of violence if committed by an adult or not guilty of 627  
the felony or offense of violence charged or a nolle prosequi is 628  
entered in that case, the fingerprints and description shall be 629

given to the accused upon the accused's request. 630

(b) If no charges are filed or a person is otherwise 631  
released or dismissed after being fingerprinted and those 632  
fingerprints have been forwarded to the bureau of criminal 633  
identification and investigation, the sheriffs of the several 634  
counties and the chiefs of police of cities shall notify the 635  
bureau that no charges were filed or the person was otherwise 636  
released and the bureau shall note that status in connection to 637  
the fingerprint record. 638

(c) If, after a person or child is arrested and 639  
fingerprinted for a criminal offense no indictment is returned, 640  
bill of information is filed, or charges are filed by the 641  
prosecuting authority to whom the case was referred, the 642  
prosecuting authority to whom the case was referred shall notify 643  
the law enforcement agency that referred the case that no 644  
charges are forthcoming at this time, the sheriff or chief of 645  
police shall notify the bureau of the case status, and the 646  
bureau shall note that status in connection to the fingerprint 647  
record. 648

(6) The superintendent shall compare the description 649  
received with those already on file in the bureau, and, if the 650  
superintendent finds that the person arrested or taken into 651  
custody has a criminal record or a record as a delinquent child 652  
for having committed an act that would be a felony or an offense 653  
of violence if committed by an adult or is a fugitive from 654  
justice or wanted by any jurisdiction in this or another state, 655  
the United States, or a foreign country for any offense, the 656  
superintendent at once shall inform the arresting officer, the 657  
officer taking the person into custody, or the chief 658  
administrative officer of the county, multicounty, municipal, 659

municipal-county, or multicounty-municipal jail or workhouse, 660  
community-based correctional facility, halfway house, 661  
alternative residential facility, or state correctional 662  
institution in which the person or child is in custody of that 663  
fact and give appropriate notice to the proper authorities in 664  
the jurisdiction in which the person is wanted, or, if that 665  
jurisdiction is a foreign country, give appropriate notice to 666  
federal authorities for transmission to the foreign country. The 667  
names, under which each person whose identification is filed is 668  
known, shall be alphabetically indexed by the superintendent. 669

(B) Division (A) of this section does not apply to a 670  
violator of a city ordinance unless the officers have reason to 671  
believe that the violator is a past offender or the crime is one 672  
constituting a misdemeanor on the first offense and a felony on 673  
subsequent offenses, or unless it is advisable for the purpose 674  
of subsequent identification. This section does not apply to any 675  
child under eighteen years of age who was not arrested or 676  
otherwise taken into custody for committing an act that would be 677  
a felony or an offense of violence if committed by an adult or 678  
upon probable cause to believe that a child of that age may have 679  
committed an act that would be a felony or an offense of 680  
violence if committed by an adult, except as provided in section 681  
2151.313 of the Revised Code. 682

(C) (1) For purposes of division (C) of this section, a law 683  
enforcement agency shall be considered to have arrested a person 684  
if any law enforcement officer who is employed by, appointed by, 685  
or serves that agency arrests the person. As used in division 686  
(C) of this section: 687

(a) "Illegal methamphetamine manufacturing laboratory" has 688  
the same meaning as in section 3745.13 of the Revised Code. 689

(b) "Methamphetamine or a methamphetamine product" means  
methamphetamine, any salt, isomer, or salt of an isomer of  
methamphetamine, or any compound, mixture, preparation, or  
substance containing methamphetamine or any salt, isomer, or  
salt of an isomer of methamphetamine.

(2) Each law enforcement agency that, in any calendar  
year, arrests any person for a violation of section 2925.04 of  
the Revised Code that is based on the manufacture of  
methamphetamine or a methamphetamine product, a violation of  
section 2925.041 of the Revised Code that is based on the  
possession of chemicals sufficient to produce methamphetamine or  
a methamphetamine product, or a violation of any other provision  
of Chapter 2925. or 3719. of the Revised Code that is based on  
the possession of chemicals sufficient to produce  
methamphetamine or a methamphetamine product shall prepare an  
annual report covering the calendar year that contains the  
information specified in division (C)(3) of this section  
relative to all arrests for violations of those sections  
committed under those circumstances during that calendar year  
and relative to illegal methamphetamine manufacturing  
laboratories, dump sites, and chemical caches as specified in  
that division and shall send the annual report, not later than  
the first day of March in the calendar year following the  
calendar year covered by the report, to the bureau of criminal  
identification and investigation.

The law enforcement agency shall write any annual report  
prepared and filed under this division ~~on in the standard forms~~  
~~furnished form and manner prescribed~~ by the superintendent of  
the bureau of criminal identification and investigation pursuant  
to division (C)(4) of this section. The annual report shall be a  
statistical report, and nothing in the report or in the

information it contains shall identify, or enable the 721  
identification of, any person who was arrested and whose arrest 722  
is included in the information contained in the report. The 723  
annual report in the possession of the bureau and the 724  
information it contains are public records for the purpose of 725  
section 149.43 of the Revised Code. 726

(3) The annual report prepared and filed by a law 727  
enforcement agency under division (C)(2) of this section shall 728  
contain all of the following information for the calendar year 729  
covered by the report: 730

(a) The total number of arrests made by the agency in that 731  
calendar year for a violation of section 2925.04 of the Revised 732  
Code that is based on the manufacture of methamphetamine or a 733  
methamphetamine product, a violation of section 2925.041 of the 734  
Revised Code that is based on the possession of chemicals 735  
sufficient to produce methamphetamine or a methamphetamine 736  
product, or a violation of any other provision of Chapter 2925. 737  
or 3719. of the Revised Code that is based on the possession of 738  
chemicals sufficient to produce methamphetamine or a 739  
methamphetamine product; 740

(b) The total number of illegal methamphetamine 741  
manufacturing laboratories at which one or more of the arrests 742  
reported under division (C)(3)(a) of this section occurred, or 743  
that were discovered in that calendar year within the territory 744  
served by the agency but at which none of the arrests reported 745  
under division (C)(3)(a) of this section occurred; 746

(c) The total number of dump sites and chemical caches 747  
that are, or that are reasonably believed to be, related to 748  
illegal methamphetamine manufacturing and that were discovered 749  
in that calendar year within the territory served by the agency. 750

(4) The superintendent of the bureau of criminal identification and investigation shall prepare and furnish to each law enforcement agency in this state standard forms for making the annual reports required by division (C) (2) of this section. The standard forms that the superintendent prepares pursuant to this division may be in a tangible format, in an electronic format, or in both a tangible format and an electronic format. 751  
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(5) The annual report required by division (C) (2) of this section is separate from, and in addition to, any report, materials, or information required under division (A) of this section or under any other provision of sections 109.57 to 109.62 of the Revised Code. 759  
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**Sec. 2953.32.** (A) (1) Sections 2953.32 and 2953.34 of the Revised Code do not apply to any of the following: 764  
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(a) Convictions under Chapter 4506., 4507., 4510., 4511., or 4549. of the Revised Code, or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters; 766  
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(b) Convictions of a felony offense of violence that is not a sexually oriented offense; 770  
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(c) Convictions of a sexually oriented offense when the offender is subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed prior to January 1, 2008; 772  
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(d) Convictions of an offense in circumstances in which the victim of the offense was less than thirteen years of age, except for convictions under section 2919.21 of the Revised Code; 776  
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(e) Convictions for a violation of section 2921.41 of the Revised Code;	780 781
(f) Convictions of a felony of the first or second degree;	782
(g) Convictions for a violation of section 2919.25 of the Revised Code that is a misdemeanor of the first or second degree or convictions for a violation of a municipal ordinance that is substantially similar to that section;	783 784 785 786
(h) Convictions of a felony of the third degree if the offender has more than one other conviction of any felony or, if the person has exactly two convictions of a felony of the third degree, has more convictions in total than those two third degree felony convictions and two misdemeanor convictions.	787 788 789 790 791
(2) Sections 2953.32 to 2953.34 of the Revised Code apply to the following for purposes of sealing, but not for purposes of expungement of the record of the case:	792 793 794
(a) Convictions for a violation of section 2919.25 of the Revised Code that is a misdemeanor of the third or fourth degree or convictions for a violation of a municipal ordinance that is substantially similar to that section;	795 796 797 798
(b) Convictions for a violation of section 2919.27 of the Revised Code or convictions for a violation of a municipal ordinance that is substantially similar to that section.	799 800 801
(3) For purposes of division (A) (1) (h) of this section, both of the following apply:	802 803
(a) When two or more convictions result from or are connected with the same act or result from offenses committed at the same time, they shall be counted as one conviction.	804 805 806
(b) When two or three convictions result from the same	807

indictment, information, or complaint, from the same plea of  
guilty, or from the same official proceeding, and result from  
related criminal acts that were committed within a three-month  
period but do not result from the same act or from offenses  
committed at the same time, they shall be counted as one  
conviction, provided that a court may decide as provided in  
division (D)(1)(i) of this section that it is not in the public  
interest for the two or three convictions to be counted as one  
conviction.

(B) (1) Except as provided in section 2953.61 of the  
Revised Code or as otherwise provided in division (B) (1) (a) (iii)  
of this section, an eligible offender may apply to the  
sentencing court if convicted in this state, or to a court of  
common pleas if convicted in another state or in a federal  
court, for the sealing or expungement of the record of the case  
that pertains to the conviction, except for convictions listed  
in division (A)(1) of this section. Application may be made at  
whichever of the following times is applicable regarding the  
offense:

(a) An application for sealing under this section may be  
made at whichever of the following times is applicable regarding  
the offense:

(i) Except as otherwise provided in division (B) (1) (a) (iv)  
of this section, at the expiration of three years after the  
offender's final discharge if convicted of one or two felonies  
of the third degree, so long as none of the offenses is a  
violation of section 2921.43 of the Revised Code;

(ii) Except as otherwise provided in division (B) (1) (a)  
(iv) of this section, at the expiration of one year after the  
offender's final discharge if convicted of one or more felonies

of the fourth or fifth degree or one or more misdemeanors, so 838  
long as none of the offenses is a violation of section 2921.43 839  
of the Revised Code or a felony offense of violence; 840

(iii) At the expiration of seven years after the offender's final discharge if the record includes one or more convictions of soliciting improper compensation in violation of section 2921.43 of the Revised Code; 844

(iv) If the offender was subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed prior to January 1, 2008, at the expiration of five years after the requirements have ended under section 2950.07 of the Revised Code or section 2950.07 of the Revised Code as it existed prior to January 1, 2008, or are terminated under section 2950.15 or 2950.151 of the Revised Code;

(v) At the expiration of six months after the offender's final discharge if convicted of a minor misdemeanor. 854

(b) An application for expungement under this section may be made at whichever of the following times is applicable regarding the offense: 855  
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(i) Except as otherwise provided in division (B) (1) (b) (ii) 858  
of this section, if the offense is a misdemeanor, at the 859  
expiration of one year after the offender's final discharge; 860

(ii) If the offense is a minor misdemeanor, at the expiration of six months after the offender's final discharge; 862

(iii) If the offense is a felony, at the expiration of ten years after the time specified in division (B)(1)(a) of this section at which the person may file an application for sealing with respect to that felony offense. 863  
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(2) Any person who has been arrested for any misdemeanor offense and who has effected a bail forfeiture for the offense charged may apply to the court in which the misdemeanor criminal case was pending when bail was forfeited for the sealing or expungement of the record of the case that pertains to the charge. Except as provided in section 2953.61 of the Revised Code, the application may be filed at whichever of the following times is applicable regarding the offense:

(a) An application for sealing under this section may be made at any time after the date on which the bail forfeiture was entered upon the minutes of the court or the journal, whichever entry occurs first.

(b) An application for expungement under this section may be made at whichever of the following times is applicable regarding the offense:

(i) Except as provided in division (B) (2) (b) (ii) of this section, at any time after the expiration of one year from the date on which the bail forfeiture was entered upon the minutes of the court or the journal, whichever entry occurs first;

(ii) If the offense is a minor misdemeanor, at any time after the expiration of six months from the date on which the bail forfeiture was entered upon the minutes of the court or the journal, whichever entry occurs first.

(C) Upon the filing of an application under this section, the court shall set a date for a hearing and shall notify the prosecutor for the case of the hearing on the application not less than sixty days prior to the hearing. Pursuant to the Ohio Constitution, the prosecutor shall provide timely notice of the application and the date and time of the hearing to a victim and

victim's representative, if applicable, if the victim or 896  
victim's representative requested notice of the proceedings in 897  
the underlying case. The court shall hold the hearing not less 898  
than forty-five days and not more than ninety days from the date 899  
of the filing of the application, unless the delay is caused by 900  
the applicant. The prosecutor may object to the granting of the 901  
application by filing a written objection with the court not 902  
later than thirty days prior to the date set for the hearing. 903  
The prosecutor shall specify in the objection the reasons for 904  
believing a denial of the application is justified. The victim, 905  
victim's representative, and victim's attorney, if applicable, 906  
may be present and heard orally, in writing, or both at any 907  
hearing under this section. The court shall direct its regular 908  
probation officer, a state probation officer, or the department 909  
of probation of the county in which the applicant resides to 910  
make inquiries and written reports as the court requires 911  
concerning the applicant. The probation officer or county 912  
department of probation that the court directs to make inquiries 913  
and written reports as the court requires concerning the 914  
applicant shall determine whether or not the applicant was 915  
fingerprinted at the time of arrest or under section 109.60 of 916  
the Revised Code. If the applicant was so fingerprinted, the 917  
probation officer or county department of probation shall 918  
include with the written report a record of the applicant's 919  
fingerprints. If the applicant was convicted of or pleaded 920  
guilty to a violation of division (A)(2) or (B) of section 921  
2919.21 of the Revised Code, the probation officer or county 922  
department of probation that the court directed to make 923  
inquiries concerning the applicant shall contact the child 924  
support enforcement agency enforcing the applicant's obligations 925  
under the child support order to inquire about the offender's 926  
compliance with the child support order. 927

(D) (1) At the hearing held under division (C) of this section, the court shall do each of the following:	928 929
(a) Determine whether the applicant is pursuing sealing or expunging a conviction of an offense that is prohibited under division (A) of this section or whether the forfeiture of bail was agreed to by the applicant and the prosecutor in the case, and determine whether the application was made at the time specified in division (B) (1) (a) or (b) or division (B) (2) (a) or (b) of this section that is applicable with respect to the application and the subject offense;	930 931 932 933 934 935 936 937
(b) Determine whether criminal proceedings are pending against the applicant;	938 939
(c) Determine whether the applicant has been rehabilitated to the satisfaction of the court;	940 941
(d) If the prosecutor has filed an objection in accordance with division (C) of this section, consider the reasons against granting the application specified by the prosecutor in the objection;	942 943 944 945
(e) If the victim objected, pursuant to the Ohio Constitution, consider the reasons against granting the application specified by the victim in the objection;	946 947 948
(f) Weigh the interests of the applicant in having the records pertaining to the applicant's conviction or bail forfeiture sealed or expunged against the legitimate needs, if any, of the government to maintain those records;	949 950 951 952
(g) Consider the oral or written statement of any victim, victim's representative, and victim's attorney, if applicable;	953 954
(h) If the applicant was an eligible offender of the type	955

described in division (A) (3) of section 2953.36 of the Revised  
Code as it existed prior to April 4, 2023, determine whether the  
offender has been rehabilitated to a satisfactory degree. In  
making the determination, the court may consider all of the  
following: 956  
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(i) The age of the offender; 961

(ii) The facts and circumstances of the offense; 962

(iii) The cessation or continuation of criminal behavior; 963

(iv) The education and employment of the offender; 964

(v) Any other circumstances that may relate to the  
offender's rehabilitation. 965  
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(i) If the court is required to determine whether an  
applicant for sealing or expungement has two or three  
convictions that result from the same indictment, information,  
or complaint, from the same plea of guilty, or from the same  
official proceeding, and result from related criminal acts that  
were committed within a three-month period but do not result  
from the same act or from offenses committed at the same time,  
in making its determination, the court initially shall determine  
whether it is not in the public interest for the two or three  
convictions to be counted as one conviction. If the court  
determines that it is not in the public interest for the two or  
three convictions to be counted as one conviction, the court  
shall determine whether, when counting the convictions  
individually, the applicant is pursuing sealing or expunging a  
conviction that is prohibited under division (A) of this  
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(2) If the court determines, after complying with division  
(D) (1) of this section, that the offender is not pursuing 983  
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sealing or expunging a conviction of an offense that is 985  
prohibited under division (A) of this section or that the 986  
forfeiture of bail was agreed to by the applicant and the 987  
prosecutor in the case, that the application was made at the 988  
time specified in division (B) (1) (a) or (b) or division (B) (2) 989  
(a) or (b) of this section that is applicable with respect to 990  
the application and the subject offense, that no criminal 991  
proceeding is pending against the applicant, that the interests 992  
of the applicant in having the records pertaining to the 993  
applicant's conviction or bail forfeiture sealed or expunged are 994  
not outweighed by any legitimate governmental needs to maintain 995  
those records, and that the rehabilitation of the applicant has 996  
been attained to the satisfaction of the court, both of the 997  
following apply: 998

(a) The court, except as provided in division (D) (4) or 999  
(5) of this section or division (D), (F), or (G) of section 1000  
2953.34 of the Revised Code, shall order all official records of 1001  
the case that pertain to the conviction or bail forfeiture 1002  
sealed if the application was for sealing or expunged if the 1003  
application was for expungement and, except as provided in 1004  
division (C) of section 2953.34 of the Revised Code, all index 1005  
references to the case that pertain to the conviction or bail 1006  
forfeiture deleted and, in the case of bail forfeitures, shall 1007  
dismiss the charges in the case. 1008

(b) The proceedings in the case that pertain to the 1009  
conviction or bail forfeiture shall be considered not to have 1010  
occurred and the conviction or bail forfeiture of the person who 1011  
is the subject of the proceedings shall be sealed if the 1012  
application was for sealing or expunged if the application was 1013  
for expungement, except that upon conviction of a subsequent 1014  
offense, a sealed record of prior conviction or bail forfeiture 1015

may be considered by the court in determining the sentence or  
other appropriate disposition, including the relief provided for  
in sections 2953.31, 2953.32, and 2953.34 of the Revised Code.

(3) An applicant may request the sealing or expungement of  
the records of more than one case in a single application under  
this section. Upon the filing of an application under this  
section, the applicant, unless the applicant presents a poverty  
affidavit showing that the applicant is indigent, shall pay an  
application fee of fifty dollars and may pay a local court fee  
of not more than fifty dollars, regardless of the number of  
records the application requests to have sealed or expunged. If  
the applicant pays a fee, the court shall pay three-fifths of  
the fee collected into the state treasury, with half of that  
amount credited to the attorney general reimbursement fund  
created by section 109.11 of the Revised Code. If the applicant  
pays a fee, the court shall pay two-fifths of the fee collected  
into the county general revenue fund if the sealed or expunged  
conviction or bail forfeiture was pursuant to a state statute,  
or into the general revenue fund of the municipal corporation  
involved if the sealed or expunged conviction or bail forfeiture  
was pursuant to a municipal ordinance.

(4) If the court orders the official records pertaining to  
the case sealed or expunged, the court shall do one of the  
following:

(a) If the applicant was fingerprinted at the time of  
arrest or under section 109.60 of the Revised Code and the  
record of the applicant's fingerprints was provided to the court  
under division (C) of this section, forward a copy of the  
sealing or expungement order and the record of the applicant's  
fingerprints to the bureau of criminal identification and

investigation. 1046

(b) If the applicant was not fingerprinted at the time of 1047  
arrest or under section 109.60 of the Revised Code, or the 1048  
record of the applicant's fingerprints was not provided to the 1049  
court under division (C) of this section, but fingerprinting was 1050  
required for the offense, take the applicant's fingerprints or 1051  
order the applicant to appear before a sheriff or a chief of 1052  
police to have the applicant's fingerprints taken, prior to the 1053  
record sealing, according to the fingerprint system of 1054  
~~identification on in the forms furnished form and manner~~ 1055  
prescribed by the superintendent of the bureau of criminal 1056  
identification and investigation. The sheriff shall forward the 1057  
applicant's fingerprints to the court. The court shall forward 1058  
the applicant's fingerprints and a copy of the sealing or 1059  
expungement order to the bureau of criminal identification and 1060  
investigation. 1061

Failure of the court to order fingerprints at the time of 1062  
sealing or expungement does not constitute a reversible error. 1063

(5) Notwithstanding any other provision of the Revised 1064  
Code to the contrary, when the bureau of criminal identification 1065  
and investigation receives notice from a court that the record 1066  
of a conviction or bail forfeiture has been expunged under this 1067  
section, the bureau of criminal identification and investigation 1068  
shall maintain a record of the expunged conviction record for 1069  
the limited purpose of determining an individual's qualification 1070  
or disqualification for employment in law enforcement. The 1071  
bureau of criminal identification and investigation shall not be 1072  
compelled by the court to destroy, delete, or erase those 1073  
records so that the records are permanently irretrievable. These 1074  
records may only be disclosed or provided to law enforcement for 1075

the limited purpose of determining an individual's qualification 1076  
or disqualification for employment in law enforcement. 1077

When any other entity other than the bureau of criminal 1078  
identification and investigation receives notice from a court 1079  
that the record of a conviction or bail forfeiture has been 1080  
expunged under this section, the entity shall destroy, delete, 1081  
and erase the record as appropriate for the record's physical or 1082  
electronic form or characteristic so that the record is 1083  
permanently irretrievable. 1084

**Sec. 5122.311.** (A) Notwithstanding any provision of the 1085  
Revised Code to the contrary, if, on or after April 8, 2004, an 1086  
individual is found by a court to be a person with a mental 1087  
illness subject to court order or becomes an involuntary patient 1088  
other than one who is a patient only for purposes of 1089  
observation, the probate judge who made the adjudication ~~or the~~ 1090  
~~chief clinical officer of the hospital, community mental health~~ 1091  
~~services provider, or facility in which the person is an~~ 1092  
~~involuntary patient~~ shall notify the office of the attorney 1093  
general, ~~on the form in the manner~~ described in division (C) of 1094  
this section, of the identity of the individual. The 1095  
notification shall be transmitted by the judge ~~or the chief~~ 1096  
~~clinical officer~~ not later than seven days after the 1097  
adjudication or commitment. 1098

(B) The office of the attorney general shall compile and 1099  
maintain the notices it receives under division (A) of this 1100  
section and the notices shall be used for the purpose of 1101  
conducting incompetency records checks pursuant to section 1102  
311.41 of the Revised Code. The notices and the information they 1103  
contain are confidential, except as provided in this division, 1104  
and are not public records. 1105

(C) The attorney general, by rule adopted under Chapter 119. of the Revised Code, shall prescribe and make available to all probate judges and all chief clinical officers a form to be used by them for the purpose of the form and manner for making the notifications required by division (A) of this section. 1106  
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**Section 2.** That existing sections 109.57, 109.60, 2953.32, and 5122.311 of the Revised Code are hereby repealed. 1111  
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**Section 3.** That Section 221.40 of H.B. 96 of the 136th General Assembly (as amended by H.B. 434 of the 136th General Assembly) be amended to read as follows: 1113  
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**Sec. 221.40. OHIO COURTS TECHNOLOGY INITIATIVE** 1116

Of the foregoing appropriation item 055321, Operating Expenses, \$3,350,000 in each fiscal year shall be used to fund an initiative by the Attorney General to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the delivery of technology services to courts throughout the state, including the provision of hardware, and software, and the development and implementation of educational and training programs for judges and court personnel. Courts of record and the clerks of the each court of common pleas, whether elected or appointed, located in counties with a population of not more than 125,000 according to the most recent federal decennial census, are eligible for to receive funding under the initiative. 1117  
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On July 1, 2025, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances, at the request of the Administrative Director of the Supreme Court of Ohio and the Attorney General, or their designees, against appropriation item 005409, Ohio Courts 1130  
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Technology Initiative, used by the Supreme Court of Ohio, and 1135  
reestablish them against appropriation item 055321, Operating 1136  
Expenses. The reestablished encumbrance amounts are hereby 1137  
appropriated. 1138

On July 1, 2025, or as soon as possible thereafter, the 1139  
Administrative Director of the Supreme Court of Ohio and the 1140  
Attorney General, or their designees, shall facilitate the 1141  
transfer of management and administration of any outstanding 1142  
grants and all necessary program records or files from the 1143  
Supreme Court to the Attorney General. 1144

**Section 4.** That existing Section 221.40 of H.B. 96 of the 1145  
136th General Assembly (as amended by H.B. 434 of the 136th 1146  
General Assembly) is hereby repealed. 1147