

As Introduced

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

H. B. No. 798

Representative Williams

To amend sections 3314.03, 3319.90, 3326.11, 1
3345.90, 3705.08, 3705.16, 3705.20, 3705.21, 2
3705.22, 4117.10, 4506.01, 4506.16, and 4507.01 3
and to enact sections 9.071, 3313.475, 3345.561, 4
3755.01, 3755.02, 3755.03, and 4113.90 of the 5
Revised Code to enact the Privacy Protection Act 6
regarding biological sex, access to certain 7
facilities, names and pronouns, and certain 8
government-issued documents. 9

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

Section 1. That sections 3314.03, 3319.90, 3326.11, 10
3345.90, 3705.08, 3705.16, 3705.20, 3705.21, 3705.22, 4117.10, 11
4506.01, 4506.16, and 4507.01 be amended and sections 9.071, 12
3313.475, 3345.561, 3755.01, 3755.02, 3755.03, and 4113.90 of 13
the Revised Code be enacted to read as follows: 14

Sec. 9.071. (A) As used in this section: 15

(1) "Changing room" means a room or area in which a person 16
may be in a state of undress in the presence of others, 17
including a locker room or shower room. 18

(2) "Covered entity" means a correctional facility, 19
shelter for victims of domestic violence, juvenile detention 20

facility, or government building. 21

(3) "Correctional facility" means a state correctional 22
institution, as defined in section 2967.01 of the Revised Code, 23
and includes any local correctional institution used for the 24
same purposes. 25

(4) "Shelter for victims of domestic violence" has the 26
same meaning as in section 3113.33 of the Revised Code, if that 27
shelter receives funds pursuant to section 3113.35 of the 28
Revised Code. 29

(5) "Juvenile detention facility" means a facility used to 30
detain alleged delinquent children until final disposition for 31
evaluation, to confine children who are adjudicated delinquent 32
children and placed in a facility, or to confine children who 33
are adjudicated traffic offenders and committed to a facility. 34

(6) "Government building" means any public facility owned, 35
leased, or operated by the state, any agency of the state, or 36
any political subdivision of the state, but does not include any 37
single-family or multi-family residence owned, leased, or 38
operated by the state. 39

(7) "Multi-occupancy restroom" means a restroom that is 40
accessible to multiple individuals at the same time. "Multi- 41
occupancy restroom" does not include a family facility. 42

(8) "Restroom" means a room that includes one or more 43
toilets or urinals. 44

(9) "Female," "male," and "sex" all have the same meanings 45
as in section 9.05 of the Revised Code. 46

(10) "Family facility" has the same meaning as in section 47
3319.90 of the Revised Code. 48

(B) Except as provided in division (D) of this section, a 49
covered entity shall designate each multi-occupancy restroom, 50
changing room, and overnight accommodation for the exclusive use 51
by individuals of either the male sex or female sex. A covered 52
entity shall prohibit a member of the non-designated sex for a 53
multi-occupancy restroom, changing room, or overnight 54
accommodation from using one designated for the other sex. 55

(C) A covered entity shall take reasonable steps to 56
provide individuals with privacy in restrooms, changing rooms, 57
and overnight accommodations. 58

(D) An individual may enter a restroom, changing room, or 59
overnight accommodation designated for the opposite sex if any 60
of the following apply: 61

(1) The individual is a child under the age of ten who is 62
being assisted by a parent, guardian, or family member, or is a 63
parent, guardian, or family member who is assisting a child 64
under the age of ten; 65

(2) The individual is a person with a disability who is 66
being assisted by another person, or is a person providing 67
assistance to a person with a disability; 68

(3) The individual is an employee of the covered entity 69
whose job duties require the employee to enter a restroom, 70
changing room, or overnight accommodation that is designated for 71
the opposite sex to the employee's sex; 72

(4) The individual enters a restroom, changing room, or 73
overnight accommodation that is designated for the opposite sex 74
because the individual reasonably believes that the individual 75
is responding to a legitimate emergency. 76

(E) Nothing in this section shall be construed as 77

<u>prohibiting a covered entity from doing any of the following:</u>	78
<u>(1) Adopting policies necessary to accommodate individuals</u>	79
<u>protected under the Americans with Disabilities Act, young</u>	80
<u>children in need of assistance, or elderly persons requiring</u>	81
<u>aid;</u>	82
<u>(2) Establishing single-occupancy restrooms, changing</u>	83
<u>rooms, or overnight accommodations, or family facilities,</u>	84
<u>changing rooms, or sleeping quarters;</u>	85
<u>(3) Redesignating a multi-occupancy restroom, changing</u>	86
<u>room, or overnight accommodation designated for exclusive use by</u>	87
<u>one sex to a designation for exclusive use by the opposite sex.</u>	88
<u>(F) The attorney general and the department of</u>	89
<u>rehabilitation and correction, in consultation with other</u>	90
<u>appropriate stakeholders, shall develop model guidance and</u>	91
<u>policies for the respective covered entities to assist with</u>	92
<u>implementation and enforcement of this section.</u>	93
<u>(G) (1) An individual who, while accessing a restroom or</u>	94
<u>changing room designated for the use of that individual's sex,</u>	95
<u>encounters a person of the opposite sex within the designated</u>	96
<u>space, has a private cause of action for declaratory and</u>	97
<u>injunctive relief against the covered entity that either:</u>	98
<u>(a) Provided the person improper permission to use a</u>	99
<u>restroom or changing room designated for the opposite sex;</u>	100
<u>(b) Failed to take reasonable steps to prohibit the person</u>	101
<u>of the opposite sex from using the restroom or changing room</u>	102
<u>designated for the opposite sex.</u>	103
<u>(2) An individual who is required by a covered entity to</u>	104
<u>share overnight accommodations with a person of the opposite sex</u>	105

<u>has a private cause of action for declaratory and injunctive</u>	106
<u>relief against the covered entity.</u>	107
<u>(3) All civil actions brought pursuant to this section</u>	108
<u>must be initiated within two years after the violation occurred.</u>	109
<u>A plaintiff who prevails in court in a case brought under this</u>	110
<u>section may recover reasonable attorney fees and costs from the</u>	111
<u>offending covered entity.</u>	112
<u>Sec. 3313.475. (A) As used in this section:</u>	113
<u>(1) "Female," "male," and "sex" have the same meanings as</u>	114
<u>in section 9.05 of the Revised Code.</u>	115
<u>(2) "School" means all of the following:</u>	116
<u>(a) A school district;</u>	117
<u>(b) A community school established under Chapter 3314. of</u>	118
<u>the Revised Code;</u>	119
<u>(c) A science, technology, engineering, and mathematics</u>	120
<u>school established under Chapter 3326. of the Revised Code;</u>	121
<u>(d) A chartered nonpublic school;</u>	122
<u>(e) An educational service center.</u>	123
<u>(3) "Student" means an individual who is enrolled in a</u>	124
<u>school.</u>	125
<u>(4) "Employee" means an individual employed or contracted</u>	126
<u>by a school.</u>	127
<u>(B) (1) An employee, regardless of the scope of the</u>	128
<u>employee's official duties, shall not knowingly and</u>	129
<u>intentionally address an unemancipated minor student by a name</u>	130
<u>other than the student's legal name, or a derivative of that</u>	131
<u>name, or by a pronoun or title that is inconsistent with the</u>	132

student's sex without the written permission of the student's 133
parent or legal guardian. 134

(2) An employee, regardless of the scope of the employee's 135
official duties, shall not be subject to adverse employment 136
action for either of the following: 137

(a) Declining to identify the employee's pronouns; 138

(b) Declining to address an individual using a name other 139
than the individual's legal name, or a derivative of that name, 140
or by a pronoun or title that is inconsistent with the 141
individual's sex. 142

(C) A student shall not be subject to any disciplinary 143
action for declining to do either of the following: 144

(1) Identify the student's pronouns; 145

(2) Address another individual using a name other than the 146
individual's legal name, or a derivative of that name, or by a 147
pronoun or title that is inconsistent with the individual's sex. 148

Sec. 3314.03. A copy of every contract entered into under 149
this section shall be filed with the director of education and 150
workforce. The department of education and workforce shall make 151
available on its web site a copy of every approved, executed 152
contract filed with the director under this section. 153

(A) Each contract entered into between a sponsor and the 154
governing authority of a community school shall specify the 155
following: 156

(1) That the school shall be established as either of the 157
following: 158

(a) A nonprofit corporation established under Chapter 159

1702. of the Revised Code, if established prior to April 8,	160
2003;	161
(b) A public benefit corporation established under Chapter	162
1702. of the Revised Code, if established after April 8, 2003.	163
(2) The education program of the school, including the	164
school's mission and educational philosophy, the characteristics	165
of the students the school is expected to attract, the ages and	166
grades of students, and the focus of the curriculum;	167
(3) The academic goals to be achieved and the method of	168
measurement that will be used to determine progress toward those	169
goals, which shall include the statewide achievement	170
assessments;	171
(4) Performance standards, including but not limited to	172
all applicable report card measures set forth in section 3302.03	173
or 3314.017 of the Revised Code, by which the success of the	174
school will be evaluated by the sponsor;	175
(5) The admission standards of section 3314.06 of the	176
Revised Code and, if applicable, section 3314.061 of the Revised	177
Code;	178
(6) (a) Dismissal procedures;	179
(b) A requirement that the governing authority adopt an	180
attendance policy that includes a procedure for automatically	181
withdrawing a student from the school if the student without a	182
legitimate excuse fails to participate in seventy-two	183
consecutive hours of the learning opportunities offered to the	184
student.	185
(7) The ways by which the school will achieve racial and	186
ethnic balance reflective of the community it serves;	187

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	188 189 190 191 192 193
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	194 195
(a) A detailed description of each facility used for instructional purposes;	196 197
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	198 199
(c) The annual mortgage principal and interest payments that are paid by the school;	200 201
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	202 203 204
(10) Qualifications of employees, including both of the following:	205 206
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	207 208 209 210 211
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	212 213 214
(11) That the school will comply with the following	215

requirements:	216
(a) The school will provide learning opportunities to a	217
minimum of twenty-five students for a minimum of nine hundred	218
twenty hours per school year.	219
(b) The governing authority will purchase liability	220
insurance, or otherwise provide for the potential liability of	221
the school.	222
(c) The school will be nonsectarian in its programs,	223
admission policies, employment practices, and all other	224
operations, and will not be operated by a sectarian school or	225
religious institution.	226
(d) The school will comply with sections 9.90, 9.91,	227
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	228
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948,	229
3302.037, 3313.472, 3313.473, 3313.474, <u>3313.475</u> , 3313.50,	230
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609,	231
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024,	232
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.643, 3313.648,	233
3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666,	234
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671,	235
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718,	236
3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80,	237
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86,	238
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812,	239
3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391,	240
3319.393, 3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02,	241
3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141,	242
3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10,	243
4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters	244
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167.	245

of the Revised Code as if it were a school district and will 246
comply with section 3301.0714 of the Revised Code in the manner 247
specified in section 3314.17 of the Revised Code. 248

(e) The school shall comply with Chapter 102. and section 249
2921.42 of the Revised Code. 250

(f) The school will comply with sections 3313.61, 251
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 252
Revised Code, except that for students who enter ninth grade for 253
the first time before July 1, 2010, the requirement in sections 254
3313.61 and 3313.611 of the Revised Code that a person must 255
successfully complete the curriculum in any high school prior to 256
receiving a high school diploma may be met by completing the 257
curriculum adopted by the governing authority of the community 258
school rather than the curriculum specified in Title XXXVIII of 259
the Revised Code or any rules of the department. Beginning with 260
students who enter ninth grade for the first time on or after 261
July 1, 2010, the requirement in sections 3313.61 and 3313.611 262
of the Revised Code that a person must successfully complete the 263
curriculum of a high school prior to receiving a high school 264
diploma shall be met by completing the requirements prescribed 265
in section 3313.6027 and division (C) of section 3313.603 of the 266
Revised Code, unless the person qualifies under division (D) or 267
(F) of that section. Each school shall comply with the plan for 268
awarding high school credit based on demonstration of subject 269
area competency, and beginning with the 2017-2018 school year, 270
with the updated plan that permits students enrolled in seventh 271
and eighth grade to meet curriculum requirements based on 272
subject area competency adopted by the department under 273
divisions (J) (1) and (2) of section 3313.603 of the Revised 274
Code. Beginning with the 2018-2019 school year, the school shall 275
comply with the framework for granting units of high school 276

credit to students who demonstrate subject area competency 277
through work-based learning experiences, internships, or 278
cooperative education developed by the department under division 279
(J) (3) of section 3313.603 of the Revised Code. 280

(g) The school governing authority will submit within four 281
months after the end of each school year a report of its 282
activities and progress in meeting the goals and standards of 283
divisions (A) (3) and (4) of this section and its financial 284
status to the sponsor and the parents of all students enrolled 285
in the school. 286

(h) The school, unless it is an internet- or computer- 287
based community school, will comply with section 3313.801 of the 288
Revised Code as if it were a school district. 289

(i) If the school is the recipient of moneys from a grant 290
awarded under the federal race to the top program, Division (A), 291
Title XIV, Sections 14005 and 14006 of the "American Recovery 292
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 293
the school will pay teachers based upon performance in 294
accordance with section 3317.141 and will comply with section 295
3319.111 of the Revised Code as if it were a school district. 296

(j) If the school operates a preschool program that is 297
licensed by the department under sections 3301.52 to 3301.59 of 298
the Revised Code, the school shall comply with sections 3301.50 299
to 3301.59 of the Revised Code and the minimum standards for 300
preschool programs prescribed in rules adopted by the department 301
of children and youth under section 3301.53 of the Revised Code. 302

(k) The school will comply with sections 3313.6021 and 303
3313.6023 of the Revised Code as if it were a school district 304
unless it is either of the following: 305

(i) An internet- or computer-based community school;	306
(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (B) (2) of section 3314.35 of the Revised Code.	307 308 309
(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.	310 311 312 313
(m) The school will comply with section 3313.7118 of the Revised Code if it serves elementary school students.	314 315
(12) Arrangements for providing health and other benefits to employees;	316 317
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (D) of this section.	318 319 320 321
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	322 323
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	324 325 326
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	327 328 329 330
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is	331 332 333

a converted public school or service center building, both of 334
the following: 335

(a) Specification of any duties or responsibilities of an 336
employer that the board of education or service center governing 337
board that operated the school or building before conversion is 338
delegating to the governing authority of the community school 339
with respect to all or any specified group of employees provided 340
the delegation is not prohibited by a collective bargaining 341
agreement applicable to such employees; 342

(b) Alternative arrangements for current public school 343
students who choose not to attend the converted school and for 344
teachers who choose not to teach in the school or building after 345
conversion. 346

(18) Provisions establishing procedures for resolving 347
disputes or differences of opinion between the sponsor and the 348
governing authority of the community school; 349

(19) A provision requiring the governing authority to 350
adopt a policy regarding the admission of students who reside 351
outside the district in which the school is located. That policy 352
shall comply with the admissions procedures specified in 353
sections 3314.06 and 3314.061 of the Revised Code and, at the 354
sole discretion of the authority, shall do one of the following: 355

(a) Prohibit the enrollment of students who reside outside 356
the district in which the school is located; 357

(b) Permit the enrollment of students who reside in 358
districts adjacent to the district in which the school is 359
located; 360

(c) Permit the enrollment of students who reside in any 361
other district in the state. 362

(20) A provision recognizing the authority of the department to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	363 364 365 366
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	367 368 369
(22) A provision recognizing both of the following:	370
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	371 372 373 374
(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	375 376 377 378 379 380 381
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H) (2) of section 3314.08 of the Revised Code;	382 383 384 385 386 387
(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school.	388 389 390 391

(25) Beginning in the 2006-2007 school year, the school 392
will open for operation not later than the thirtieth day of 393
September each school year, unless the mission of the school as 394
specified under division (A)(2) of this section is solely to 395
serve dropouts. In its initial year of operation, if the school 396
fails to open by the thirtieth day of September, or within one 397
year after the adoption of the contract pursuant to division (D) 398
of section 3314.02 of the Revised Code if the mission of the 399
school is solely to serve dropouts, the contract shall be void. 400

(26) Whether the school's governing authority is planning 401
to seek designation for the school as a STEM school equivalent 402
under section 3326.032 of the Revised Code; 403

(27) That the school's attendance and participation 404
policies will be available for public inspection; 405

(28) That the school's attendance and participation 406
records shall be made available to the department, auditor of 407
state, and school's sponsor to the extent permitted under and in 408
accordance with the "Family Educational Rights and Privacy Act 409
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 410
regulations promulgated under that act, and section 3319.321 of 411
the Revised Code; 412

(29) If a school operates using the blended learning 413
model, as defined in section 3301.079 of the Revised Code, all 414
of the following information: 415

(a) An indication of what blended learning model or models 416
will be used; 417

(b) A description of how student instructional needs will 418
be determined and documented; 419

(c) The method to be used for determining competency, 420

granting credit, and promoting students to a higher grade level;	421
(d) The school's attendance requirements, including how	422
the school will document participation in learning	423
opportunities;	424
(e) A statement describing how student progress will be	425
monitored;	426
(f) A statement describing how private student data will	427
be protected;	428
(g) A description of the professional development	429
activities that will be offered to teachers.	430
(30) A provision requiring that all moneys the school's	431
operator loans to the school, including facilities loans or cash	432
flow assistance, must be accounted for, documented, and bear	433
interest at a fair market rate;	434
(31) A provision requiring that, if the governing	435
authority contracts with an attorney, accountant, or entity	436
specializing in audits, the attorney, accountant, or entity	437
shall be independent from the operator with which the school has	438
contracted.	439
(32) A provision requiring the governing authority to	440
adopt an enrollment and attendance policy that requires a	441
student's parent to notify the community school in which the	442
student is enrolled when there is a change in the location of	443
the parent's or student's primary residence.	444
(33) A provision requiring the governing authority to	445
adopt a student residence and address verification policy for	446
students enrolling in or attending the school.	447
(34) A provision establishing the process by which the	448

governing authority of the school will be selected in the 449
future. 450

(35) A description of the management and administration of 451
the school. 452

(36) A provision requiring the governing authority to 453
adopt policies and procedures to establish internal financial 454
controls for the school. 455

(B) A contract entered into under section 3314.02 of the 456
Revised Code between a sponsor and the governing authority of a 457
community school may provide for the community school governing 458
authority to make payments to the sponsor, which is hereby 459
authorized to receive such payments as set forth in the contract 460
between the governing authority and the sponsor. The total 461
amount of such payments for monitoring, oversight, and technical 462
assistance of the school shall not exceed three per cent of the 463
total amount of payments for operating expenses that the school 464
receives from the state. 465

(C) The contract shall specify the duties of the sponsor 466
which shall be in accordance with the written agreement entered 467
into with the department under division (B) of section 3314.015 468
of the Revised Code and shall include the following: 469

(1) Monitor the community school's compliance with all 470
laws applicable to the school and with the terms of the 471
contract; 472

(2) Monitor and evaluate the academic and fiscal 473
performance and the organization and operation of the community 474
school on at least an annual basis; 475

(3) Provide technical assistance to the community school 476
in complying with laws applicable to the school and terms of the 477

contract; 478

(4) Take steps to intervene in the school's operation to 479
correct problems in the school's overall performance, declare 480
the school to be on probationary status pursuant to section 481
3314.073 of the Revised Code, suspend the operation of the 482
school pursuant to section 3314.072 of the Revised Code, or 483
terminate the contract of the school pursuant to section 3314.07 484
of the Revised Code as determined necessary by the sponsor; 485

(5) Have in place a plan of action to be undertaken in the 486
event the community school experiences financial difficulties or 487
closes prior to the end of a school year. 488

(D) Upon the expiration of a contract entered into under 489
this section, the sponsor of a community school may, with the 490
approval of the governing authority of the school, renew that 491
contract for a period of time determined by the sponsor, but not 492
ending earlier than the end of any school year, if the sponsor 493
finds that the school's compliance with applicable laws and 494
terms of the contract and the school's progress in meeting the 495
academic goals prescribed in the contract have been 496
satisfactory. Any contract that is renewed under this division 497
remains subject to the provisions of sections 3314.07, 3314.072, 498
and 3314.073 of the Revised Code. 499

(E) If a community school fails to open for operation 500
within one year after the contract entered into under this 501
section is adopted pursuant to division (D) of section 3314.02 502
of the Revised Code or permanently closes prior to the 503
expiration of the contract, the contract shall be void and the 504
school shall not enter into a contract with any other sponsor. A 505
school shall not be considered permanently closed because the 506
operations of the school have been suspended pursuant to section 507

3314.072 of the Revised Code. 508

Sec. 3319.90. (A) As used in this section: 509

(1) ~~"Biological sex" means the biological indication of~~ 510
~~male and female, including sex chromosomes, naturally occurring~~ 511
~~sex hormones, gonads, and nonambiguous internal and external~~ 512
~~genitalia present at birth, without regard to an individual's~~ 513
~~psychological, chosen, or subjective experience of gender. An~~ 514
~~individual may use the individual's official birth record, as~~ 515
~~defined in section 3705.01 of the Revised Code, to prove~~ 516
~~biological sex if the birth record was issued at or near the~~ 517
~~time of the individual's birth~~ "Female," "male," and "sex" have 518
the same meanings as in section 9.05 of the Revised Code. 519

(2) "Family facility" means a family restroom or shower 520
room that does not have more than one toilet or shower. 521

(3) "Multi-occupancy facility" means a restroom, locker 522
room, changing room, overnight accommodations, or shower room 523
that is accessible to multiple individuals at the same time. 524
"Multi-occupancy facility" does not include a family facility. 525

(4) "School" includes the following: 526

(a) A school district or school district building; 527

(b) A community school established under Chapter 3314. of 528
the Revised Code; 529

(c) A science, technology, engineering, and mathematics 530
school established under Chapter 3326. of the Revised Code; 531

(d) A chartered nonpublic school; 532

(e) An educational service center. 533

(5) "Overnight accommodations" means an area with a bed or 534

cot in which more than one individual is housed overnight. 535

(B) (1) A school shall designate each student restroom, 536
locker room, changing room, overnight accommodations, or shower 537
room that is accessible by multiple ~~students~~individuals at the 538
same time, whether located in a school building or located in a 539
facility used by the school for a school-sponsored activity, for 540
the exclusive use by ~~students~~individuals of the male ~~biological-~~ 541
sex only or by ~~students~~individuals of the female ~~biological-~~sex 542
only. 543

(2) No school shall permit a member of the female 544
~~biological-sex~~ to use a ~~student~~-restroom, locker room, changing 545
room, or shower room that has been designated by the school for 546
the exclusive use of the male ~~biological-~~sex. No school shall 547
permit a member of the male ~~biological-~~sex to use a ~~student-~~ 548
restroom, locker room, changing room, or shower room that has 549
been designated by the school for the exclusive use of the 550
female ~~biological-~~sex. 551

(3) No school shall construct, establish, or maintain a 552
multi-occupancy facility that is designated as nongendered, 553
multigendered, or open to all genders. 554

Nothing in division (B) (3) of this section shall be 555
construed to prohibit a school from constructing, establishing, 556
or maintaining a family facility. 557

(C) No school shall permit a member of the female 558
~~biological-sex~~ to share overnight accommodations with a member 559
of the male ~~biological-~~sex. No school shall permit a member of 560
the male ~~biological-~~sex to share overnight accommodations with a 561
member of the female ~~biological-~~sex. 562

(D) Nothing in this section shall be construed to prohibit 563

a school from establishing a policy providing accommodation such 564
as single-occupancy facilities or controlled use of faculty 565
facilities at the request of a student due to special 566
circumstances. 567

(E) The prohibitions described in divisions (B) and (C) of 568
this section do not apply to any of the following: 569

(1) A child under the age of ten who is being assisted by 570
a parent, guardian, or family member, as well as the parent, 571
guardian, or family member who is assisting the child; 572

(2) A person with a disability who is being assisted by 573
another person, as well as the person providing assistance to 574
the person with a disability; 575

(3) A school employee whose job duties require the 576
employee to enter a restroom, locker room, changing room, or 577
shower room that is designated for a ~~biological~~-sex that is 578
different than the employee's ~~biological~~-sex; 579

(4) A person who enters a restroom, locker room, changing 580
room, or shower room that is designated for a ~~biological~~-sex 581
that is different than the person's ~~biological~~-sex because the 582
person reasonably believes the person is responding to a 583
legitimate emergency. 584

(F) (1) An individual who, while accessing a restroom, 585
locker room, changing room, or shower room designated for use by 586
their sex, encounters a person of the opposite sex in that 587
restroom, locker room, changing room, or shower room has a 588
private cause of action for declaratory and injunctive relief 589
against the school or school district that does either of the 590
following: 591

(a) Provides the person permission to use a restroom, 592

locker room, changing room, or shower room of the opposite sex; 593

(b) Fails to take reasonable steps to prohibit the person 594
from using the restroom, locker room, changing room, or shower 595
room of the opposite sex. 596

(2) An individual who is required by the school or school 597
district to share overnight accommodations with a person of the 598
opposite sex in violation of this division has a private cause 599
of action for declaratory and injunctive relief against the 600
school or school district. 601

(3) All civil actions brought under division (F) of this 602
section shall be initiated within two years after the violation 603
occurred. An individual aggrieved under this section who 604
prevails in court may recover reasonable attorney fees and costs 605
from the offending school or school district. 606

(G) The department of education and workforce, in 607
consultation with other appropriate stakeholders, shall develop 608
model guidance and policies for school districts to assist with 609
implementation and enforcement of this section. 610

Sec. 3326.11. Each science, technology, engineering, and 611
mathematics school established under this chapter and its 612
governing body shall comply with sections 9.90, 9.91, 109.65, 613
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 614
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 615
3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 616
3313.473, 3313.474, 3313.475, 3313.48, 3313.481, 3313.482, 617
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 618
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6021, 619
3313.6023, 3313.6024, 3313.6026, 3313.6028, 3313.6029, 620
3313.6031, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 621

3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.6413, 622
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 623
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 624
3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 3313.719, 625
3313.7112, 3313.7117, 3313.7118, 3313.721, 3313.753, 3313.80, 626
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 627
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 628
3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 629
3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 630
3319.45, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 631
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 632
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 633
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 634
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 635
4112., 4123., 4141., and 4167. of the Revised Code as if it were 636
a school district. 637

Sec. 3345.561. (A) As used in this section: 638

(1) "Female," "male," and "sex" have the same meanings as 639
in section 9.05 of the Revised Code. 640

(2) "Student" means an individual who is enrolled at an 641
institution of higher education as defined in section 3345.19 of 642
the Revised Code. 643

(3) "Employee" means an individual employed or contracted 644
by an institution of higher education as defined in section 645
3345.19 of the Revised Code. 646

(B) (1) An employee, regardless of the scope of the 647
employee's official duties, shall not knowingly and 648
intentionally address an unemancipated minor student by a name 649
other than the student's legal name, or a derivative of that 650

name, or by a pronoun or title that is inconsistent with the 651
student's sex without the written permission of the student's 652
parent or guardian. 653

(2) An employee, regardless of the scope of the employee's 654
official duties, shall not be subject to adverse employment 655
action for either of the following: 656

(a) Declining to identify the employee's pronouns; 657

(b) Declining to address another individual using a name 658
other than the individual's legal name, or a derivative of that 659
name, or by a pronoun or title that is inconsistent with the 660
individual's sex. 661

(C) A student shall not be subject to any disciplinary 662
action for declining to do either of the following: 663

(1) Identify the student's pronouns; 664

(2) Address another individual using a name other than the 665
individual's legal name, or a derivative of that name, or by a 666
pronoun or title that is inconsistent with the individual's sex. 667

Sec. 3345.90. (A) As used in this section: 668

(1) "Biological sex," "family"Female," "male," and "sex" 669
have the same meanings as in section 9.05 of the Revised Code. 670

(2) Family facility," and "multi-occupancy facility," and 671
"overnight accommodations" have the same meanings as in section 672
3319.90 of the Revised Code. 673

~~(2)~~(3) "Institution of higher education" has the same 674
meaning as in section 3345.19 of the Revised Code. 675

(B) (1) Each institution of higher education shall 676
designate with clear signage each ~~student~~-restroom, locker room, 677

changing room, "overnight accommodations," or shower room 678
accessible by multiple ~~students~~individuals at the same time for 679
the exclusive use by ~~students~~individuals of the male ~~biological-~~ 680
sex only or by ~~students~~individuals of the female ~~biological-~~sex 681
only. 682

(2) No institution of higher education shall knowingly 683
permit a member of the female ~~biological-~~sex to use a ~~student-~~ 684
restroom, locker room, changing room, or shower room that has 685
been designated by the school for the exclusive use of the male 686
~~biological-~~sex. No institution of higher education shall 687
knowingly permit a member of the male ~~biological-~~sex to use a 688
~~student-~~restroom, locker room, changing room, or shower room 689
that has been designated by the school for the exclusive use of 690
the female ~~biological-~~sex. 691

(3) An institution of higher education that offers housing 692
for students provides students with the option to be housed only 693
with persons of the same sex. 694

(4) During any activity or event authorized by an 695
institution of higher education where students share overnight 696
accommodations, an institution of higher education shall not 697
require a student to share overnight accommodations with a 698
member of the opposite sex. 699

(5) No institution of higher education shall construct, 700
establish, or maintain a multi-occupancy facility that is 701
designated as nongendered, multigendered, or open to all 702
genders. 703

Nothing in division (B)~~(3)~~(5) of this section shall be 704
construed to prohibit an institution of higher education from 705
constructing, establishing, or maintaining a family facility. 706

(C) Nothing in this section shall be construed to prohibit 707
an institution of higher education from establishing and 708
enforcing a policy on the use of a multi-occupancy facility. Any 709
policy adopted by an institution of higher education in 710
accordance with this section shall provide an option for 711
alternative accommodations, including, but not limited to, the 712
use of single-occupancy facilities or faculty facilities. 713

(D) The prohibition described in division (B) of this 714
section does not apply to any of the following: 715

(1) A child under the age of ten who is being assisted by 716
a parent, guardian, or family member, as well as the parent, 717
guardian, or family member who is assisting the child; 718

(2) A person with a disability who is being assisted by 719
another person, as well as the person providing assistance to 720
the person with a disability; 721

(3) An employee of the institution of higher education 722
whose job duties require the employee to enter a restroom, 723
locker room, changing room, or shower room that is designated 724
for a ~~biological~~-sex that is different than the employee's 725
~~biological~~-sex; 726

(4) A person who enters a restroom, locker room, changing 727
room, or shower room that is designated for a ~~biological~~-sex 728
that is different than the person's ~~biological~~-sex because the 729
person reasonably believes the person is responding to a 730
legitimate emergency. 731

(E) (1) An individual who, while accessing a restroom, 732
locker room, changing room, or shower room designated for use by 733
their sex, encounters a person of the opposite sex in that 734
restroom, locker room, changing room, or shower room has a 735

private cause of action for declaratory and injunctive relief 736
against the institution of higher education that does either of 737
the following: 738

(a) Provides the person permission to use a restroom, 739
locker room, changing room, or shower room of the opposite sex; 740

(b) Fails to take reasonable steps to prohibit the person 741
from using the restroom, locker room, changing room, or shower 742
room of the opposite sex. 743

(2) An individual who is required by the institution of 744
higher education to share overnight accommodations with a person 745
of the opposite sex in violation of this division has a private 746
cause of action for declaratory and injunctive relief against 747
the institution of higher education. 748

(3) All civil actions brought pursuant to division (E) of 749
this section shall be initiated within two years after the 750
violation occurred. An individual aggrieved under this section 751
who prevails in court may recover reasonable attorney fees and 752
costs from the offending institution of higher education. 753

(F) The department of higher education, in consultation 754
with other appropriate stakeholders, shall develop model 755
guidance and policies for institutions of higher education to 756
assist with implementation and enforcement of this section. 757

Sec. 3705.08. (A) The director of health, by rule, shall 758
prescribe the form of records and certificates required by this 759
chapter. Records and certificates shall include the items and 760
information prescribed by the director, including the items 761
recommended by the national center for health statistics of the 762
United States department of health and human services, subject 763
to approval of and modification by the director. 764

(B) All birth certificates shall include a statement 765
setting forth the names of the child's parents. 766

(C) All birth certificates shall include the child's name, 767
date of birth, location of birth, and sex. 768

(D) All death certificates shall include, in the medical 769
certification portion of the certificate, a space to indicate, 770
if the deceased individual is female and the manner of death is 771
determined to be a suspicious or violent death, whether any of 772
the following conditions apply to the individual: 773

(1) Not pregnant within the past year; 774

(2) Pregnant at the time of death; 775

(3) Not pregnant, but had been pregnant within forty-two 776
days prior to the time of death; 777

(4) Not pregnant, but had been pregnant within forty-three 778
days to one year prior to the time of death; 779

(5) Unknown whether pregnant within the past year. 780

~~(D)~~ ~~(1)~~ (E) (1) The director shall prescribe electronic 781
methods and forms for obtaining registration of births, deaths, 782
and other vital statistics in each registration district, and 783
for preserving the records of the office of vital statistics, 784
and no forms or blanks shall be used other than those prescribed 785
by the director. 786

(2) All birth, fetal death, and death records and 787
certificates shall be certified. Except as provided in division 788
(G) of section 3705.09, section 3705.12, 3705.121, 3705.122, or 789
3705.124, division (D) of section 3705.15, or section 3705.16 of 790
the Revised Code, a birth certificate requiring signature may be 791
electronically certified by the person in charge of the 792

institution or that person's designee. A death certificate may 793
be electronically certified by the individual who attests to the 794
facts of death. 795

(3) All vital records shall contain the date received for 796
filing. 797

(4) Information and signatures required in certificates, 798
records, or reports authorized by this chapter may be filed and 799
registered by photographic, electronic, or other means as 800
prescribed by the director. 801

Sec. 3705.16. (A) For purposes of this section 802
notwithstanding section 3705.01 of the Revised Code, "fetal 803
death" does not include death of the product of human conception 804
prior to twenty weeks of gestation. 805

(B) Each death or fetal death that occurs in this state 806
shall be registered with the local registrar of vital statistics 807
of the district in which the death or fetal death occurred, by 808
the funeral director or other person in charge of the final 809
disposition of the remains. The personal and statistical 810
information in the death or fetal death certificate shall be 811
obtained from the best qualified persons or sources available, 812
by the funeral director or other person in charge of the final 813
disposition of the remains. The statement of facts relating to 814
the disposition of the body and information relative to the 815
armed services referred to in section 3705.19 of the Revised 816
Code shall be signed by the funeral director or other person in 817
charge of the final disposition of the remains. 818

(C) (1) For certification of the cause of death, the 819
funeral director or other person in charge of the final 820
disposition of the remains shall present the death or fetal 821

death certificate to one of the following individuals: 822

(a) If a death or fetal death occurs under any 823
circumstance described in section 313.12 of the Revised Code, 824
the coroner in the county in which the death occurs or the 825
medical examiner; 826

(b) If a death or fetal death occurs under a circumstance 827
other than as described in section 313.12 of the Revised Code, 828
the attending physician of the decedent, except that, in the 829
case of decedent who did not have an attending physician, the 830
physician who, either in person or through a means of 831
telehealth, last examined or treated the decedent for any 832
illness or condition. 833

(2) After the death or fetal death certificate is 834
presented, the cause of death shall be certified and the medical 835
certificate of death shall be completed and signed as follows: 836

(a) If the death or fetal death certificate is presented 837
to the coroner or medical examiner, the coroner, or a deputy 838
coroner, medical examiner, or deputy medical examiner serving in 839
an equivalent capacity, shall certify the cause of death. 840

(b) If the death or fetal death certificate is presented 841
to the physician described in division (C) (1) (b) of this 842
section, that physician shall certify the cause of death. 843

(3) The medical certificate of death shall be completed 844
and signed by the coroner or medical examiner, physician who 845
attended the decedent, or physician who last examined or treated 846
the decedent, as appropriate, within forty-eight hours after 847
notification of the death or fetal death. 848

A coroner or medical examiner may satisfy the requirement 849
of signing a medical certificate showing the cause of death or 850

fetal death as pending by signing it within forty-eight hours 851
after notification of the death or fetal death, provided that 852
the coroner or medical examiner shall sign any other medical 853
certificate of death or supplementary medical certification 854
within forty-eight hours after the cause of death has been 855
determined. 856

A physician described in division (C) (1) (b) of this 857
section may satisfy the requirement of signing a medical 858
certificate by signing with an electronic signature. 859

(D) A coroner, medical examiner, or physician who acts in 860
good faith in accordance with this section, without fraud or 861
malice, and upon reasonable belief of the cause of death or 862
fetal death based on the information, if any, presented is not 863
subject to civil liability or professional disciplinary action 864
for any act or omission in certifying the cause of death or in 865
completing and signing the medical certificate of death. 866

(E) Any death certificate registered pursuant to this 867
section shall contain ~~the~~ both of the following: 868

(1) The social security number of the decedent, if 869
available. A social security number obtained under this section 870
is a public record under section 149.43 of the Revised Code. 871

(2) The sex of the decedent. 872

Sec. 3705.20. (A) The fetal death of the product of human 873
conception of at least twenty weeks of gestation shall be 874
registered on a fetal death certificate. 875

On application of the funeral director or either parent, 876
the fetal death of the product of human conception prior to 877
twenty weeks of gestation shall be registered on a fetal death 878
certificate, except that the fetal death certificate shall not 879

list the cause of death. 880

The funeral director or the parent shall include with the 881
application a copy of the statement required by division (B)(1) 882
of section 3727.16 or division (B)(1) of section 4731.82 of the 883
Revised Code. If the father submits the application, he shall 884
also include with it a signed and notarized document from the 885
mother attesting that she voluntarily provided the father with a 886
copy of the statement. 887

A fetal death certificate for the product of human 888
conception prior to twenty weeks gestation is not proof of a 889
live birth for purposes of federal, state, and local taxes. 890

A fetal death certificate shall include the sex of the 891
product of human conception, if known. 892

(B) The product of human conception of at least twenty 893
weeks of gestation that suffers a fetal death occurring in Ohio 894
shall not be interred, deposited in a vault or tomb, cremated, 895
or otherwise disposed of by a funeral director or other person 896
until a fetal death certificate or provisional death certificate 897
has been filed with and a burial permit is issued by the local 898
registrar of vital statistics of the registration district in 899
which the fetal death occurs, or the body is found. 900

A burial permit for the product of human conception that 901
suffers a fetal death prior to twenty weeks of gestation shall 902
be issued by the local registrar of vital statistics of the 903
registration district in which the fetal death occurs if the 904
funeral director or either parent files a fetal death 905
certificate with that registrar. 906

(C) (1) The department of health and the local registrar 907
shall keep a separate record and index record of fetal death 908

certificates. 909

(2) The personal or statistical information on the fetal 910
death certificate shall be obtained by the funeral director or 911
other person in charge of interment or cremation from the best 912
qualified persons or sources available. 913

(D) When a burial permit is issued under division (B) of 914
this section for the product of human conception of at least 915
twenty weeks of gestation that suffers a fetal death, the local 916
registrar shall inform the parent or parents listed on the fetal 917
death certificate or provisional death certificate of the option 918
of applying for a certificate that is issued under division (B) 919
(3) of section 3705.23 of the Revised Code. 920

Sec. 3705.21. All marriages taking place within the state, 921
all divorces, dissolutions, and annulments of marriages decreed 922
by a court of this state, and all corrections of certificates of 923
marriage shall be registered with the office of vital statistics 924
of the department of health. On or before the tenth day of each 925
month, the probate judge of each county shall forward to the 926
department on a form prescribed and furnished by the director of 927
health a certified abstract of each marriage record made by the 928
probate judge during the preceding month. 929

The clerk of the court of common pleas, on or before the 930
tenth day of each month, shall send to the department on a form 931
to be prescribed and furnished by the director a certified 932
abstract of all decrees of divorce, dissolution, and annulment 933
of marriage and orders correcting certificates of marriage that 934
the clerk recorded during the preceding month. The office of 935
vital statistics shall record and index all records received 936
under this section. 937

The form prescribed and furnished by the director for a certified abstract of marriage and a decree of divorce, dissolution, and annulment of marriage shall include the sex of both parties to the marriage. The sex designation on a certificate of marriage or decree of divorce, dissolution, or annulment of marriage shall not be amended except on the order of a court of this state based on clear and convincing evidence that the sex designation was not properly and accurately recorded at the time the certificate or decree was originally filed.

Sec. 3705.22. ~~Whenever~~ (A) Except as provided in division (G) of this section, whenever it is alleged that the facts stated in any birth, fetal death, or death record filed in the department of health are not true, the director may require satisfactory evidence to be presented in the form of affidavits, amended records, or certificates to establish the alleged facts. When established, the original record or certificate shall be supplemented by the affidavit or the amended certificate or record information.

(B) An affidavit in a form prescribed by the director shall be sworn to by a person having personal knowledge of the matter sought to be corrected. Medical certifications contained on fetal death or death records may be corrected only by the person whose name appears on the original record as attending physician or by the coroner of the county in which the death occurred.

(C) The amended birth record shall be signed by the person who attended the birth and the informant or informants whose names appear on the original record. The amended death or fetal death record shall be signed by the physician or coroner,

funeral director, and informant whose names appear on the 968
original record. 969

~~An affidavit or amended record for the correction of the 970
given name of a person shall have the signature of the person, 971
if the person is age eighteen or older, or of both parents if 972
the person is under eighteen, except that in the case of a child 973
born out of wedlock, the mother's signature will suffice; in the 974
case of the death or incapacity of either parent, the signature 975
of the other parent will suffice; in the case of a child not in 976
the custody of his parents, the signature of the guardian or 977
agency having the custody of the child will suffice; and in the 978
case of a child whose parents are deceased, the signature of 979
another person who knows the child will suffice. 980~~

(D) Once a correction or amendment of an item is made on a 981
vital record, that item shall not be corrected or amended again 982
except on the order of a court of this state or the request of a 983
court of another state or jurisdiction. 984

(E) The director may refuse to accept an affidavit or 985
amended certificate or record that appears to be submitted for 986
the purpose of falsifying the certificate or record. 987

(F) A certified copy of a certificate or record issued by 988
the department of health shall show the information as 989
originally given and the corrected information, except that an 990
electronically produced copy need indicate only that the 991
certificate or record was corrected and the item that was 992
corrected. 993

(G) (1) Except as provided in section 3705.12 of the 994
Revised Code, the name, date of birth, location of birth, or sex 995
designation on a birth certificate shall not be amended except 996

on the order of a court of this state based on clear and 997
convincing evidence that the name, date of birth, location of 998
birth, or sex designation was not properly and accurately 999
recorded at the time the birth certificate was originally filed. 1000

(2) The sex designation on a death or fetal death record 1001
shall not be amended except on the order of a court of this 1002
state based on clear and convincing evidence that the sex 1003
designation was not properly and accurately recorded at the time 1004
the death or fetal death record was originally filed. 1005

Sec. 3755.01. As used in this chapter: 1006

(A) (1) "Multi-occupancy facility" means a restroom, locker 1007
room, changing room, or shower room that is accessible to 1008
multiple individuals at the same time. 1009

(2) "Multi-occupancy facility" does not include a restroom 1010
or changing room designated for use by members of a single 1011
family. 1012

(B) (1) "Public place" means an enclosed area to which the 1013
public is invited or in which the public is permitted and that 1014
is not a private residence. 1015

(2) "Public place" does not include an enclosed area owned 1016
or operated by a nonprofit or religious entity. 1017

(C) (1) "Place of employment" means an enclosed area under 1018
the direct or indirect control of an employer that the 1019
employer's employees use for work or any other purpose without 1020
regard to the time of day or the presence of employees. 1021

(2) "Place of employment" does not include an enclosed 1022
area owned or operated by a nonprofit or religious entity. 1023

(D) "Proprietor" means an employer, owner, manager, 1024

operator, or person in charge or control of a public place or 1025
place of employment. 1026

(E) "Restroom" means a room that includes one or more 1027
toilets or urinals. 1028

Sec. 3755.02. (A) A proprietor of a public place or place 1029
of employment shall designate each multi-occupancy facility in 1030
the public place or place of employment for the exclusive use by 1031
individuals of the male sex only or by individuals of the female 1032
sex only. 1033

(B) A proprietor of a public place or place of employment 1034
shall take reasonable steps to provide an individual with 1035
privacy from members of the opposite sex while the individual is 1036
using a multi-occupancy facility in the public place or place of 1037
employment. 1038

(C) Except as provided in division (E) of this section, no 1039
proprietor of a public place or place of employment shall do 1040
either of the following: 1041

(1) Permit an individual of the female sex to use a multi- 1042
occupancy facility that has been designated for the exclusive 1043
use by individuals of the male sex. 1044

(2) Permit an individual of the male sex to use a multi- 1045
occupancy facility that has been designated for the exclusive 1046
use by individuals of the female sex. 1047

(D) Except as provided in division (E) of this section, no 1048
individual shall refuse to exit a multi-occupancy facility in a 1049
public place or place of employment when requested to do so by 1050
the proprietor or an employee or agent of the proprietor. 1051

(E) The prohibitions in divisions (C) and (D) of this 1052

<u>section do not apply under any of the following circumstances:</u>	1053
<u>(1) When an individual enters a multi-occupancy facility</u>	1054
<u>designated for a sex that is different than the individual's sex</u>	1055
<u>to assist a young child and the individual providing the</u>	1056
<u>assistance is the parent, guardian, or family member of the</u>	1057
<u>child;</u>	1058
<u>(2) When an individual enters a multi-occupancy facility</u>	1059
<u>designated for a sex that is different than the individual's sex</u>	1060
<u>to assist an individual with a disability that limits the</u>	1061
<u>individual's ability to use the facility;</u>	1062
<u>(3) When an individual is required to enter a multi-</u>	1063
<u>occupancy facility that is designated for a sex that is</u>	1064
<u>different than the individual's sex for purposes of performing</u>	1065
<u>the individual's job duties, including custodial or maintenance</u>	1066
<u>duties;</u>	1067
<u>(4) When an individual enters a multi-occupancy facility</u>	1068
<u>designated for a sex that is different than the individual's sex</u>	1069
<u>because the individual reasonably believes the individual is</u>	1070
<u>responding to a legitimate emergency.</u>	1071
<u>(F) Nothing in this section prohibits the proprietor of a</u>	1072
<u>public place or place of employment from doing any of the</u>	1073
<u>following:</u>	1074
<u>(1) Adopting a policy necessary to provide an individual</u>	1075
<u>with a reasonable accommodation under the "Americans with</u>	1076
<u>Disabilities Act of 1990," 42 U.S.C. 12101, et seq.;</u>	1077
<u>(2) Establishing single-occupancy restrooms, changing</u>	1078
<u>rooms, locker rooms, or shower rooms;</u>	1079
<u>(3) Re-designating a multi-occupancy facility designated</u>	1080

for exclusive use by one sex to a designation for exclusive use 1081
by the opposite sex. 1082

Sec. 3755.03. (A) The attorney general shall receive 1083
complaints related to violations of this chapter and shall 1084
investigate allegations made in any complaint. 1085

(B) On receiving a first complaint alleging that a 1086
proprietor of a public place or place of employment or an 1087
individual has violated this chapter, the attorney general shall 1088
investigate the complaint and, if the attorney general concludes 1089
that a violation occurred, issue a warning letter to the 1090
proprietor or individual. 1091

(C) On receiving a complaint alleging a second or 1092
subsequent violation of this chapter by a proprietor of a public 1093
place or place of employment or an individual, the attorney 1094
general shall investigate the complaint. If the attorney general 1095
concludes, based on all of the information before the attorney 1096
general, that a violation occurred, the attorney general shall 1097
institute an action in the court of common pleas seeking a civil 1098
penalty and an injunction against the proprietor or individual. 1099

(D) An injunction issued under this section shall continue 1100
in effect until the court that granted the injunction is 1101
satisfied the proprietor or individual has complied with the 1102
requirements of this chapter. 1103

Sec. 4113.90. (A) As used in this section, "government 1104
employee" means any person holding a position by appointment or 1105
employment in the service of the state or any political 1106
subdivision of the state. 1107

(B) A government employee, regardless of the scope of the 1108
employee's official duties, shall not be subject to adverse 1109

employment action for either of the following: 1110

(1) Declining to identify the employee's pronouns while 1111
acting within the scope of the employee's employment; 1112

(2) Declining to address a person using a name other than 1113
the person's legal name, or a derivative of that name, or by a 1114
pronoun or title that is inconsistent with the person's sex. 1115

(C) Any government employee who is harmed by a violation 1116
of this section shall have a private cause of action against the 1117
employee's employer for injunctive relief, monetary damages, 1118
reasonable attorney's fees, costs, and any other appropriate 1119
relief. A civil action brought pursuant to this section shall be 1120
initiated within two years after the violation occurred. 1121

Sec. 4117.10. (A) An agreement between a public employer 1122
and an exclusive representative entered into pursuant to this 1123
chapter governs the wages, hours, and terms and conditions of 1124
public employment covered by the agreement. If the agreement 1125
provides for a final and binding arbitration of grievances, 1126
public employers, employees, and employee organizations are 1127
subject solely to that grievance procedure and the state 1128
personnel board of review or civil service commissions have no 1129
jurisdiction to receive and determine any appeals relating to 1130
matters that were the subject of a final and binding grievance 1131
procedure. Where no agreement exists or where an agreement makes 1132
no specification about a matter, the public employer and public 1133
employees are subject to all applicable state or local laws or 1134
ordinances pertaining to the wages, hours, and terms and 1135
conditions of employment for public employees. All of the 1136
following prevail over conflicting provisions of agreements 1137
between employee organizations and public employers: 1138

(1) Laws pertaining to any of the following subjects:	1139
(a) Civil rights;	1140
(b) Affirmative action;	1141
(c) Unemployment compensation;	1142
(d) Workers' compensation;	1143
(e) The retirement of public employees;	1144
(f) Residency requirements;	1145
(g) The minimum educational requirements contained in the Revised Code pertaining to public education including the requirement of a certificate by the fiscal officer of a school district pursuant to section 5705.41 of the Revised Code;	1146 1147 1148 1149
(h) The provisions of division (A) of section 124.34 of the Revised Code governing the disciplining of officers and employees who have been convicted of a felony;	1150 1151 1152
(i) The minimum standards promulgated by the director of education and workforce pursuant to division (D) of section 3301.07 of the Revised Code.	1153 1154 1155
(2) The law pertaining to the leave of absence and compensation provided under section 5923.05 of the Revised Code, if the terms of the agreement contain benefits which are less than those contained in that section or the agreement contains no such terms and the public authority is the state or any agency, authority, commission, or board of the state or if the public authority is another entity listed in division (B) of section 4117.01 of the Revised Code that elects to provide leave of absence and compensation as provided in section 5923.05 of the Revised Code;	1156 1157 1158 1159 1160 1161 1162 1163 1164 1165

(3) The law pertaining to the leave established under 1166
section 5906.02 of the Revised Code, if the terms of the 1167
agreement contain benefits that are less than those contained in 1168
section 5906.02 of the Revised Code; 1169

(4) The law pertaining to excess benefits prohibited under 1170
section 3345.311 of the Revised Code with respect to an 1171
agreement between an employee organization and a public employer 1172
entered into on or after September 29, 2015; 1173

(5) ~~state~~ State employee work location policies with 1174
respect to an agreement between an employee organization and a 1175
public employer entered into on or after ~~the effective date of~~ 1176
~~this amendment~~ September 30, 2025; 1177

(6) The law pertaining to prohibited adverse employment 1178
actions under sections 3313.475, 3345.561, and 4113.90 of the 1179
Revised Code with respect to an agreement between an employee 1180
organization and a public employer entered into on or after the 1181
effective date of this amendment. 1182

Except for sections 306.08, 306.12, 306.35, and 4981.22 of 1183
the Revised Code and arrangements entered into thereunder, and 1184
section 4981.21 of the Revised Code as necessary to comply with 1185
section 13(c) of the "Urban Mass Transportation Act of 1964," 87 1186
Stat. 295, 49 U.S.C.A. 1609(c), as amended, and arrangements 1187
entered into thereunder, this chapter prevails over any and all 1188
other conflicting laws, resolutions, provisions, present or 1189
future, except as otherwise specified in this chapter or as 1190
otherwise specified by the general assembly. Nothing in this 1191
section prohibits or shall be construed to invalidate the 1192
provisions of an agreement establishing supplemental workers' 1193
compensation or unemployment compensation benefits or exceeding 1194
minimum requirements contained in the Revised Code pertaining to 1195

public education or the minimum standards promulgated by the 1196
director of education and workforce pursuant to division (D) of 1197
section 3301.07 of the Revised Code. 1198

(B) The public employer shall submit a request for funds 1199
necessary to implement an agreement and for approval of any 1200
other matter requiring the approval of the appropriate 1201
legislative body to the legislative body within fourteen days of 1202
the date on which the parties finalize the agreement, unless 1203
otherwise specified, but if the appropriate legislative body is 1204
not in session at the time, then within fourteen days after it 1205
convenes. The legislative body must approve or reject the 1206
submission as a whole, and the submission is deemed approved if 1207
the legislative body fails to act within thirty days after the 1208
public employer submits the agreement. The parties may specify 1209
that those provisions of the agreement not requiring action by a 1210
legislative body are effective and operative in accordance with 1211
the terms of the agreement, provided there has been compliance 1212
with division (C) of this section. If the legislative body 1213
rejects the submission of the public employer, either party may 1214
reopen all or part of the entire agreement. 1215

As used in this section, "legislative body" includes the 1216
governing board of a municipal corporation, school district, 1217
college or university, village, township, or board of county 1218
commissioners or any other body that has authority to approve 1219
the budget of their public jurisdiction and, with regard to the 1220
state, "legislative body" means the controlling board. 1221

(C) The chief executive officer, or the chief executive 1222
officer's representative, of each municipal corporation, the 1223
designated representative of the board of education of each 1224
school district, college or university, or any other body that 1225

has authority to approve the budget of their public 1226
jurisdiction, the designated representative of the board of 1227
county commissioners and of each elected officeholder of the 1228
county whose employees are covered by the collective 1229
negotiations, and the designated representative of the village 1230
or the board of township trustees of each township is 1231
responsible for negotiations in the collective bargaining 1232
process; except that the legislative body may accept or reject a 1233
proposed collective bargaining agreement. When the matters about 1234
which there is agreement are reduced to writing and approved by 1235
the employee organization and the legislative body, the 1236
agreement is binding upon the legislative body, the employer, 1237
and the employee organization and employees covered by the 1238
agreement. 1239

(D) There is hereby established an office of collective 1240
bargaining in the department of administrative services for the 1241
purpose of negotiating with and entering into written agreements 1242
between state agencies, departments, boards, and commissions and 1243
the exclusive representative on matters of wages, hours, terms 1244
and other conditions of employment and the continuation, 1245
modification, or deletion of an existing provision of a 1246
collective bargaining agreement. Nothing in any provision of law 1247
to the contrary shall be interpreted as excluding the bureau of 1248
workers' compensation and the industrial commission from the 1249
preceding sentence. This office shall not negotiate on behalf of 1250
other statewide elected officials or boards of trustees of state 1251
institutions of higher education who shall be considered as 1252
separate public employers for the purposes of this chapter; 1253
however, the office may negotiate on behalf of these officials 1254
or trustees where authorized by the officials or trustees. The 1255
staff of the office of collective bargaining are in the 1256

unclassified service. The director of administrative services	1257
shall fix the compensation of the staff.	1258
The office of collective bargaining shall:	1259
(1) Assist the director in formulating management's	1260
philosophy for public collective bargaining as well as planning	1261
bargaining strategies;	1262
(2) Conduct negotiations with the exclusive	1263
representatives of each employee organization;	1264
(3) Coordinate the state's resources in all mediation,	1265
fact-finding, and arbitration cases as well as in all labor	1266
disputes;	1267
(4) Conduct systematic reviews of collective bargaining	1268
agreements for the purpose of contract negotiations;	1269
(5) Coordinate the systematic compilation of data by all	1270
agencies that is required for negotiating purposes;	1271
(6) Prepare and submit an annual report and other reports	1272
as requested to the governor and the general assembly on the	1273
implementation of this chapter and its impact upon state	1274
government.	1275
Sec. 4506.01. As used in this chapter:	1276
(A) "Alcohol concentration" means the concentration of	1277
alcohol in a person's blood, breath, or urine. When expressed as	1278
a percentage, it means grams of alcohol per the following:	1279
(1) One hundred milliliters of whole blood, blood serum,	1280
or blood plasma;	1281
(2) Two hundred ten liters of breath;	1282
(3) One hundred milliliters of urine.	1283

(B) "Commercial driver's license" means a license issued 1284
in accordance with this chapter that authorizes an individual to 1285
drive a commercial motor vehicle. 1286

(C) "Commercial driver's license information system" means 1287
the information system established pursuant to the requirements 1288
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 1289
3207-171, 49 U.S.C.A. App. 2701. 1290

(D) Except when used in section 4506.25 of the Revised 1291
Code, "commercial motor vehicle" means any motor vehicle 1292
designed or used to transport persons or property that meets any 1293
of the following qualifications: 1294

(1) Any combination of vehicles with a gross vehicle 1295
weight or combined gross vehicle weight rating of twenty-six 1296
thousand one pounds or more, provided the gross vehicle weight 1297
or gross vehicle weight rating of the vehicle or vehicles being 1298
towed is in excess of ten thousand pounds; 1299

(2) Any single vehicle with a gross vehicle weight or 1300
gross vehicle weight rating of twenty-six thousand one pounds or 1301
more; 1302

(3) Any single vehicle or combination of vehicles that is 1303
not a class A or class B vehicle, but is designed to transport 1304
sixteen or more passengers including the driver; 1305

(4) Any school bus with a gross vehicle weight or gross 1306
vehicle weight rating of less than twenty-six thousand one 1307
pounds that is designed to transport fewer than sixteen 1308
passengers including the driver; 1309

(5) Is transporting hazardous materials for which 1310
placarding is required under subpart F of 49 C.F.R. part 172, as 1311
amended; 1312

(6) Any single vehicle or combination of vehicles that is 1313
designed to be operated and to travel on a public street or 1314
highway and is considered by the federal motor carrier safety 1315
administration to be a commercial motor vehicle, including, but 1316
not limited to, a motorized crane, a vehicle whose function is 1317
to pump cement, a rig for drilling wells, and a portable crane. 1318

(E) "Controlled substance" means all of the following: 1319

(1) Any substance classified as a controlled substance 1320
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 1321
U.S.C.A. 802(6), as amended; 1322

(2) Any substance included in schedules I through V of 21 1323
C.F.R. part 1308, as amended; 1324

(3) Any drug of abuse. 1325

(F) "Conviction" means an unvacated adjudication of guilt 1326
or a determination that a person has violated or failed to 1327
comply with the law in a court of original jurisdiction or an 1328
authorized administrative tribunal, an unvacated forfeiture of 1329
bail or collateral deposited to secure the person's appearance 1330
in court, a plea of guilty or nolo contendere accepted by the 1331
court, the payment of a fine or court cost, or violation of a 1332
condition of release without bail, regardless of whether or not 1333
the penalty is rebated, suspended, or probated. 1334

(G) "Disqualification" means any of the following: 1335

(1) The suspension, revocation, or cancellation of a 1336
person's privileges to operate a commercial motor vehicle; 1337

(2) Any withdrawal of a person's privileges to operate a 1338
commercial motor vehicle as the result of a violation of state 1339
or local law relating to motor vehicle traffic control other 1340

than parking, vehicle weight, or vehicle defect violations; 1341

(3) A determination by the federal motor carrier safety 1342
administration that a person is not qualified to operate a 1343
commercial motor vehicle under 49 C.F.R. 391. 1344

(H) "Domiciled" means having a true, fixed, principal, and 1345
permanent residence to which an individual intends to return. 1346

(I) "Downgrade" means any of the following, as applicable: 1347

(1) A change in the commercial driver's license, or 1348
commercial driver's license temporary instruction permit, 1349
holder's self-certified status as described in division (A) (1) 1350
of section 4506.10 of the Revised Code; 1351

(2) A change to a lesser class of vehicle; 1352

(3) Removal of commercial driver's license privileges from 1353
the individual's driver's license; 1354

(4) A change in the commercial driver's license, or 1355
commercial driver's license temporary instruction permit, 1356
holder's privileges as described in division (F) (1) of section 1357
4506.13 of the Revised Code. 1358

(J) "Drive" means to drive, operate, or be in physical 1359
control of a motor vehicle. 1360

(K) "Driver" means any person who drives, operates, or is 1361
in physical control of a commercial motor vehicle or is required 1362
to have a commercial driver's license. 1363

(L) "Driver's license" means a license issued by the 1364
bureau of motor vehicles that authorizes an individual to drive. 1365

(M) "Drug of abuse" means any controlled substance, 1366
dangerous drug as defined in section 4729.01 of the Revised 1367

Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.

(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is

operated in accordance with this division and is not used in the 1397
operations of a motor carrier, as defined in section 4923.01 of 1398
the Revised Code. 1399

(S) "Fatality" means the death of a person as the result 1400
of a motor vehicle accident occurring not more than three 1401
hundred sixty-five days prior to the date of death. 1402

(T) "Felony" means any offense under federal or state law 1403
that is punishable by death or specifically classified as a 1404
felony under the law of this state, regardless of the penalty 1405
that may be imposed. 1406

(U) "Foreign jurisdiction" means any jurisdiction other 1407
than a state. 1408

(V) "Gross vehicle weight rating" means the value 1409
specified by the manufacturer as the maximum loaded weight of a 1410
single or a combination vehicle. The gross vehicle weight rating 1411
of a combination vehicle is the gross vehicle weight rating of 1412
the power unit plus the gross vehicle weight rating of each 1413
towed unit. 1414

(W) "Hazardous materials" means any material that has been 1415
designated as hazardous under 49 U.S.C. 5103 and is required to 1416
be placarded under subpart F of 49 C.F.R. part 172 or any 1417
quantity of a material listed as a select agent or toxin in 42 1418
C.F.R. part 73, as amended. 1419

(X) "Imminent hazard" means the existence of a condition 1420
that presents a substantial likelihood that death, serious 1421
illness, severe personal injury, or a substantial endangerment 1422
to health, property, or the environment may occur before the 1423
reasonably foreseeable completion date of a formal proceeding 1424
begun to lessen the risk of that death, illness, injury, or 1425

endangerment. 1426

(Y) "Medical variance" means one of the following received 1427
by a driver from the federal motor carrier safety administration 1428
that allows the driver to be issued a medical certificate: 1429

(1) An exemption letter permitting operation of a 1430
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 1431
C.F.R. 391.64; 1432

(2) A skill performance evaluation certificate permitting 1433
operation of a commercial motor vehicle pursuant to 49 C.F.R. 1434
391.49. 1435

(Z) "Mobile telephone" means a mobile communication device 1436
that falls under or uses any commercial mobile radio service as 1437
defined in 47 C.F.R. 20, except that mobile telephone does not 1438
include two-way or citizens band radio services. 1439

(AA) "Motor vehicle" means a vehicle, machine, tractor, 1440
trailer, or semitrailer propelled or drawn by mechanical power 1441
used on highways, except that such term does not include a 1442
vehicle, machine, tractor, trailer, or semitrailer operated 1443
exclusively on a rail. 1444

(BB) "Out-of-service order" means a declaration by an 1445
authorized enforcement officer of a federal, state, local, 1446
Canadian, or Mexican jurisdiction declaring that a driver, 1447
commercial motor vehicle, or commercial motor carrier operation 1448
is out of service as defined in 49 C.F.R. 390.5. 1449

(CC) "Peace officer" has the same meaning as in section 1450
2935.01 of the Revised Code. 1451

(DD) "Portable tank" means a liquid or gaseous packaging 1452
designed primarily to be loaded onto or temporarily attached to 1453

a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means. 1454
1455

(EE) "Public safety vehicle" has the same meaning as in divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 1456
1457

(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit. 1458
1459
1460
1461

(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar. 1462
1463
1464

(HH) "Sex" has the same meaning as in section 9.05 of the Revised Code. 1465
1466

(II) "School bus" has the same meaning as in section 4511.01 of the Revised Code. 1467
1468

~~(II)~~ (JJ) "Serious traffic violation" means any of the following: 1469
1470

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code; 1471
1472
1473

(2) (a) Except as provided in division ~~(II) (2) (b)~~ (JJ) (2) (b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following: 1474
1475
1476
1477
1478
1479

(i) Texting while driving; 1480

(ii) Using a handheld mobile telephone.	1481
(b) It is not a serious traffic violation if the person	1482
was texting or using a handheld mobile telephone to contact law	1483
enforcement or other emergency services.	1484
(3) A conviction arising from the operation of any motor	1485
vehicle that involves any of the following:	1486
(a) A single charge of any speed in excess of the posted	1487
speed limit by fifteen miles per hour or more;	1488
(b) Violation of section 4511.20 or 4511.201 of the	1489
Revised Code or any similar ordinance or resolution, or of any	1490
similar law of another state or political subdivision of another	1491
state;	1492
(c) Violation of a law of this state or an ordinance or	1493
resolution relating to traffic control, other than a parking	1494
violation, or of any similar law of another state or political	1495
subdivision of another state, that results in a fatal accident;	1496
(d) Violation of section 4506.03 of the Revised Code or a	1497
substantially similar municipal ordinance or county or township	1498
resolution, or of any similar law of another state or political	1499
subdivision of another state, that involves the operation of a	1500
commercial motor vehicle without a valid commercial driver's	1501
license with the proper class or endorsement for the specific	1502
vehicle group being operated or for the passengers or type of	1503
cargo being transported;	1504
(e) Violation of section 4506.03 of the Revised Code or a	1505
substantially similar municipal ordinance or county or township	1506
resolution, or of any similar law of another state or political	1507
subdivision of another state, that involves the operation of a	1508
commercial motor vehicle without a valid commercial driver's	1509

license being in the person's possession; 1510

(f) Violation of section 4511.33 or 4511.34 of the Revised 1511
Code, or any municipal ordinance or county or township 1512
resolution substantially similar to either of those sections, or 1513
any substantially similar law of another state or political 1514
subdivision of another state; 1515

(g) Violation of any other law of this state, any law of 1516
another state, or any ordinance or resolution of a political 1517
subdivision of this state or another state that meets both of 1518
the following requirements: 1519

(i) It relates to traffic control, other than a parking 1520
violation; 1521

(ii) It is determined to be a serious traffic violation by 1522
the United States secretary of transportation and is designated 1523
by the director as such by rule. 1524

~~(JJ)~~ (KK) "State" means a state of the United States and 1525
includes the District of Columbia. 1526

~~(KK)~~ (LL) "Tank vehicle" means any commercial motor vehicle 1527
that is designed to transport any liquid or gaseous materials 1528
within a tank or tanks that are either permanently or 1529
temporarily attached to the vehicle or its chassis and have an 1530
individual rated capacity of more than one hundred nineteen 1531
gallons and an aggregate rated capacity of one thousand gallons 1532
or more. "Tank vehicle" does not include a commercial motor 1533
vehicle transporting an empty storage container tank that is not 1534
designed for transportation, has a rated capacity of one 1535
thousand gallons or more, and is temporarily attached to a 1536
flatbed trailer. 1537

~~(LL)~~ (MM) "Tester" means a person or entity acting pursuant 1538

to a valid agreement entered into pursuant to division (B) of 1539
section 4506.09 of the Revised Code. 1540

~~(MM)~~(NN) "Texting" means manually entering alphanumeric 1541
text into, or reading text from, an electronic device. Texting 1542
includes short message service, e-mail, instant messaging, a 1543
command or request to access a world wide web page, pressing 1544
more than a single button to initiate or terminate a voice 1545
communication using a mobile telephone, or engaging in any other 1546
form of electronic text retrieval or entry, for present or 1547
future communication. Texting does not include the following: 1548

(1) Using voice commands to initiate, receive, or 1549
terminate a voice communication using a mobile telephone; 1550

(2) Inputting, selecting, or reading information on a 1551
global positioning system or navigation system; 1552

(3) Pressing a single button to initiate or terminate a 1553
voice communication using a mobile telephone; or 1554

(4) Using, for a purpose that is not otherwise prohibited 1555
by law, a device capable of performing multiple functions, such 1556
as a fleet management system, a dispatching device, a mobile 1557
telephone, a citizens band radio, or a music player. 1558

~~(NN)~~(OO) "Texting while driving" means texting while 1559
operating a commercial motor vehicle, with the motor running, 1560
including while temporarily stationary because of traffic, a 1561
traffic control device, or other momentary delays. Texting while 1562
driving does not include operating a commercial motor vehicle 1563
with or without the motor running when the driver has moved the 1564
vehicle to the side of, or off, a highway and is stopped in a 1565
location where the vehicle can safely remain stationary. 1566

~~(OO)~~(PP) "United States" means the fifty states and the 1567

District of Columbia. 1568

~~(PP)~~ (QQ) "Upgrade" means a change in the class of 1569
vehicles, endorsements, or self-certified status as described in 1570
division (A) (1) of section 4506.10 of the Revised Code, that 1571
expands the ability of a current commercial driver's license 1572
holder to operate commercial motor vehicles under this chapter. 1573

~~(QQ)~~ (RR) "Use of a handheld mobile telephone" means: 1574

(1) Using at least one hand to hold a mobile telephone to 1575
conduct a voice communication; 1576

(2) Dialing or answering a mobile telephone by pressing 1577
more than a single button; or 1578

(3) Reaching for a mobile telephone in a manner that 1579
requires a driver to maneuver so that the driver is no longer in 1580
a seated driving position, or restrained by a seat belt that is 1581
installed in accordance with 49 C.F.R. 393.93 and adjusted in 1582
accordance with the vehicle manufacturer's instructions. 1583

~~(RR)~~ (SS) "Vehicle" has the same meaning as in section 1584
4511.01 of the Revised Code. 1585

Sec. 4506.16. (A) Any person who is found to have been 1586
convicted of a violation of an out-of-service order shall be 1587
disqualified by the registrar of motor vehicles as follows: 1588

(1) If the person has not been convicted previously of a 1589
violation of an out-of-service order, the period of 1590
disqualification is one hundred eighty days. 1591

(2) If, during any ten-year period, the driver is 1592
convicted of a second violation of an out-of-service order in an 1593
incident separate from the incident that resulted in the first 1594
violation, the period of disqualification is two years. 1595

(3) If, during any ten-year period, the driver is 1596
convicted of a third or subsequent violation of an out-of- 1597
service order in an incident separate from the incidents that 1598
resulted in the previous violations during that ten-year period, 1599
the period of disqualification is three years. 1600

(B) (1) A driver is disqualified for one hundred eighty 1601
days if the driver is convicted of a first violation of an out- 1602
of-service order while transporting hazardous materials required 1603
to be placarded under the "Hazardous Materials Transportation 1604
Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended, or 1605
while operating a motor vehicle designed to transport sixteen or 1606
more passengers, including the driver. 1607

(2) A driver is disqualified for a period of three years 1608
if, during any ten-year period, the driver is convicted of a 1609
second or subsequent violation, in an incident separate from the 1610
incident that resulted in a previous violation during that ten- 1611
year period, of an out-of-service order while transporting 1612
hazardous materials required to be placarded under that act, or 1613
while operating a motor vehicle designed to transport sixteen or 1614
more passengers, including the driver. 1615

(C) Whoever violates division (A) (1) of section 4506.15 of 1616
the Revised Code or a similar law of another state or a foreign 1617
jurisdiction, immediately shall be placed out-of-service for 1618
twenty-four hours, in addition to any disqualification required 1619
by this section and any other penalty imposed by the Revised 1620
Code. 1621

(D) The registrar of motor vehicles shall disqualify any 1622
holder of a commercial driver's license or commercial driver's 1623
license temporary instruction permit, or any operator of a 1624
commercial motor vehicle for which a commercial driver's license 1625

or permit is required, from operating a commercial motor vehicle 1626
as follows: 1627

(1) Upon a first conviction for a violation of any 1628
provision of divisions (A) (2) to (12) of section 4506.15 of the 1629
Revised Code or a similar law of another state or a foreign 1630
jurisdiction, or upon a first suspension imposed under section 1631
4511.191 of the Revised Code or a similar law of another state 1632
or foreign jurisdiction, one year; 1633

(2) Upon a second conviction for a violation of any 1634
provision of divisions (A) (2) to (12) of section 4506.15 of the 1635
Revised Code or a similar law of another state or a foreign 1636
jurisdiction, or upon a second suspension imposed under section 1637
4511.191 of the Revised Code or a similar law of another state 1638
or foreign jurisdiction, or any combination of such violations 1639
arising from two or more separate incidents, the person shall be 1640
disqualified for life or for any other period of time as 1641
determined by the United States secretary of transportation and 1642
designated by the director of public safety by rule; 1643

(3) Upon a first conviction for any of the following 1644
violations while transporting hazardous materials, three years: 1645

(a) Divisions (A) (2) to (12) of section 4506.15 of the 1646
Revised Code; 1647

(b) A similar law of another state or a foreign 1648
jurisdiction. 1649

(4) Upon conviction of a violation of division (A) (13) or 1650
(A) (14) of section 4506.15 of the Revised Code or a similar law 1651
of another state or a foreign jurisdiction, the person shall be 1652
disqualified for life; 1653

(5) (a) Upon conviction of two serious traffic violations 1654

involving the operation of a commercial motor vehicle by the 1655
person and arising from separate incidents occurring in a three- 1656
year period, the person shall be disqualified for sixty days, 1657
which disqualification shall be imposed consecutively to any 1658
other separate disqualification imposed under division (D) (5) or 1659
(6) of this section; 1660

(b) Upon conviction of three or more serious traffic 1661
violations involving the operation of a commercial motor vehicle 1662
by the person and arising from separate incidents occurring in a 1663
three-year period, the person shall be disqualified for one 1664
hundred twenty days, which disqualification shall be imposed 1665
consecutively to any other separate disqualification imposed 1666
under division (D) (5) or (6) of this section; 1667

(6) (a) Upon conviction of two serious traffic violations 1668
involving the operation of a vehicle other than a commercial 1669
motor vehicle by the person and arising from separate incidents 1670
occurring in a three-year period, the person shall be 1671
disqualified for sixty days if the conviction results in the 1672
suspension, cancellation, or revocation of the holder's 1673
commercial driver's license or commercial driver's license 1674
temporary instruction permit, or noncommercial motor vehicle 1675
driving privileges, which disqualification shall be imposed 1676
consecutively to any other separate disqualification imposed 1677
under division (D) (5) or (6) of this section; 1678

(b) Upon conviction of three or more serious traffic 1679
violations involving the operation of a vehicle other than a 1680
commercial motor vehicle by the person and arising from separate 1681
incidents occurring in a three-year period, the person shall be 1682
disqualified for one hundred twenty days if the conviction 1683
results in the suspension, cancellation, or revocation of the 1684

holder's commercial driver's license or permit, or noncommercial 1685
motor vehicle driving privileges, which disqualification shall 1686
be imposed consecutively to any other separate disqualification 1687
imposed under division (D) (5) or (6) of this section. 1688

(7) Upon a first conviction involving the operation of a 1689
commercial motor vehicle in violation of any provisions of 1690
sections 4511.61 to 4511.63 of the Revised Code or a similar law 1691
of another state or foreign jurisdiction, not less than sixty 1692
days; 1693

(8) Upon a second conviction involving the operation of a 1694
commercial motor vehicle in violation of any provisions of 1695
sections 4511.61 to 4511.63 of the Revised Code or a similar law 1696
of another state or foreign jurisdiction within three years of 1697
the first such conviction, not less than one hundred twenty 1698
days; 1699

(9) Upon a third or subsequent conviction involving the 1700
operation of a commercial motor vehicle in violation of any 1701
provisions of sections 4511.61 to 4511.63 of the Revised Code or 1702
a similar law of another state or foreign jurisdiction within 1703
three years of the first such conviction, not less than one 1704
year; 1705

(10) Upon receiving notification from the federal motor 1706
carrier safety administration, the registrar immediately, prior 1707
to any hearing, shall disqualify any commercial motor vehicle 1708
driver whose driving is determined to constitute an imminent 1709
hazard as defined under federal motor carrier safety regulation 1710
49 C.F.R. 383.52. 1711

(E) For the purposes of this section, conviction of a 1712
violation for which disqualification is required includes 1713

conviction under any municipal ordinance that is substantially 1714
similar to any section of the Revised Code that is set forth in 1715
division (D) of this section and may be evidenced by any of the 1716
following: 1717

(1) A judgment entry of a court of competent jurisdiction 1718
in this or any other state; 1719

(2) An administrative order of a state agency of this or 1720
any other state having statutory jurisdiction over commercial 1721
drivers; 1722

(3) A computer record obtained from or through the 1723
commercial driver's license information system; 1724

(4) A computer record obtained from or through a state 1725
agency of this or any other state having statutory jurisdiction 1726
over commercial drivers or the records of commercial drivers. 1727

(F) For purposes of this section, conviction of 1728
disqualifying offenses committed in a noncommercial motor 1729
vehicle are included if either of the following applies: 1730

(1) The offense occurred after the person obtained the 1731
person's commercial driver's license or commercial driver's 1732
license temporary instruction permit. 1733

(2) The offense occurs on or after September 30, 2005. 1734

(G) If a person commits a serious traffic violation by 1735
operating a commercial motor vehicle without having a commercial 1736
driver's license or commercial driver's license temporary 1737
instruction permit in the person's possession as described in 1738
division ~~(II) (3) (e)~~ (JJ) (3) (e) of section 4506.01 of the Revised 1739
Code and the person then submits proof to either the enforcement 1740
agency that issued the citation for the violation or to the 1741

court with jurisdiction over the case before the date of the 1742
person's initial appearance that shows that the person held a 1743
valid commercial driver's license or permit at the time of the 1744
violation, the violation shall not be deemed to be a serious 1745
traffic violation. 1746

(H) Any record described in division (C) of this section 1747
shall be deemed to be self-authenticating when it is received by 1748
the bureau of motor vehicles. 1749

(I) When disqualifying a driver, the registrar shall cause 1750
the records of the bureau to be updated to reflect that action 1751
within ten days after it occurs. 1752

(J) The registrar immediately shall notify a driver who is 1753
finally convicted of any offense described in section 4506.15 of 1754
the Revised Code or division (D) (4), (5), or (6) of this section 1755
and thereby is subject to disqualification, of the offense or 1756
offenses involved, of the length of time for which 1757
disqualification is to be imposed, and that the driver may 1758
request a hearing within thirty days of the mailing of the 1759
notice to show cause why the driver should not be disqualified 1760
from operating a commercial motor vehicle. If a request for such 1761
a hearing is not made within thirty days of the mailing of the 1762
notice, the order of disqualification is final. The registrar 1763
may designate hearing examiners who, after affording all parties 1764
reasonable notice, shall conduct a hearing to determine whether 1765
the disqualification order is supported by reliable evidence. 1766
The registrar shall adopt rules to implement this division. 1767

(K) Any person who is disqualified from operating a 1768
commercial motor vehicle under this section may apply to the 1769
registrar for a driver's license to operate a motor vehicle 1770
other than a commercial motor vehicle, provided the person's 1771

commercial driver's license is not otherwise suspended. A person 1772
whose commercial driver's license is suspended shall not apply 1773
to the registrar for or receive a driver's license under Chapter 1774
4507. of the Revised Code during the period of suspension. 1775

(L) The disqualifications imposed under this section are 1776
in addition to any other penalty imposed by the Revised Code. 1777

(M) Any conviction for an offense that would lead to 1778
disqualification as specified in this section, whether committed 1779
in a commercial motor vehicle or a vehicle other than a 1780
commercial motor vehicle, shall be counted for the purposes of 1781
determining the number of violations and the appropriate 1782
disqualification period under this section. 1783

Sec. 4507.01. (A) As used in this chapter, "motor 1784
vehicle," "motorized bicycle," "state," "owner," "operator," 1785
"chauffeur," and "highways" have the same meanings as in section 1786
4501.01 of the Revised Code. 1787

"Driver's license" means a class D license issued to any 1788
person to operate a motor vehicle or motor-driven cycle, other 1789
than a commercial motor vehicle, and includes "probationary 1790
license," "restricted license," "limited term license," and any 1791
operator's or chauffeur's license issued before January 1, 1990. 1792

"Probationary license" means the license issued to any 1793
person between sixteen and eighteen years of age to operate a 1794
motor vehicle. 1795

"Restricted license" means the license issued to any 1796
person to operate a motor vehicle subject to conditions or 1797
restrictions imposed by the registrar of motor vehicles. 1798

"Commercial driver's license" means the license issued to 1799
a person under Chapter 4506. of the Revised Code to operate a 1800

commercial motor vehicle. 1801

"Commercial motor vehicle" has the same meaning as in 1802
section 4506.01 of the Revised Code. 1803

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction 1804
permit, license, or endorsement for a motor-driven cycle or 1805
motor scooter unless otherwise specified. 1806
1807

"Motorized bicycle license" means the license issued under 1808
section 4511.521 of the Revised Code to any person to operate a 1809
motorized bicycle including a "probationary motorized bicycle 1810
license." 1811

"Probationary motorized bicycle license" means the license 1812
issued under section 4511.521 of the Revised Code to any person 1813
between fourteen and sixteen years of age to operate a motorized 1814
bicycle. 1815

"Identification card" means a card issued under sections 1816
4507.50 to 4507.52 of the Revised Code. 1817

"Resident" means a person who, in accordance with 1818
standards prescribed in rules adopted by the registrar, resides 1819
in this state on a permanent basis. 1820

"Temporary resident" means a person who, in accordance 1821
with standards prescribed in rules adopted by the registrar, 1822
resides in this state on a temporary basis. 1823

"Sex" has the same meaning as in section 9.05 of the 1824
Revised Code. 1825

(B) In the administration of this chapter and Chapter 1826
4506. of the Revised Code, the registrar has the same authority 1827
as is conferred on the registrar by section 4501.02 of the 1828

Revised Code. Any act of an authorized deputy registrar of motor vehicles under direction of the registrar is deemed the act of the registrar.

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

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

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

(C) No agent for any insurance company, writing automobile insurance, shall be appointed deputy registrar, and any such appointment is void. No deputy registrar shall in any manner solicit any form of automobile insurance, nor in any manner advise, suggest, or influence any licensee or applicant for license for or against any kind or type of automobile insurance, insurance company, or agent, nor have the deputy registrar's office directly connected with the office of any automobile insurance agent, nor impart any information furnished by any

applicant for a license or identification card to any person, 1859
except the registrar. This division shall not apply to any 1860
nonprofit corporation appointed deputy registrar. 1861

(D) The registrar shall immediately remove a deputy 1862
registrar who violates the requirements of this chapter. 1863

Section 2. That existing sections 3314.03, 3319.90, 1864
3326.11, 3345.90, 3705.08, 3705.16, 3705.20, 3705.21, 3705.22, 1865
4117.10, 4506.01, 4506.16, and 4507.01 of the Revised Code are 1866
hereby repealed. 1867

Section 3. This act shall be known as the Privacy 1868
Protection Act. 1869