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134th General Assembly
Regular Session
2021-2022

Sub. H. B. No. 99

A BILL

To amend sections 109.78, 149.43, 149.433, 1
2923.122, 3314.03, 3326.11, 5502.01, and 2
5502.262 and to enact sections 5502.70, 3
5502.701, 5502.702, and 5502.703 of the Revised 4
Code to establish the Ohio School Safety Crisis 5
Center and the Ohio Mobile Training Team to 6
develop a curriculum and provide instruction and 7
training for individuals to convey deadly 8
weapons and dangerous ordnance in a school 9
safety zone, to expressly exempt such 10
individuals from a peace officer basic training 11
requirement, to require public notice if a board 12
of education or school governing body authorizes 13
persons to go armed in a school, and to make an 14
appropriation. 15

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

Section 1. That sections 109.78, 149.43, 149.433, 16
2923.122, 3314.03, 3326.11, 5502.01, and 5502.262 be amended and 17
sections 5502.70, 5502.701, 5502.702, and 5502.703 of the 18



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Revised Code be enacted to read as follows: 19

Sec. 109.78. (A) The executive director of the Ohio peace 20
officer training commission, on behalf of the commission and in 21
accordance with rules promulgated by the attorney general, shall 22
certify persons who have satisfactorily completed approved 23
training programs designed to qualify persons for positions as 24
special police, security guards, or persons otherwise privately 25
employed in a police capacity and issue appropriate certificates 26
to such persons. Application for approval of a training program 27
designed to qualify persons for such positions shall be made to 28
the commission. An application for approval shall be submitted 29
to the commission with a fee of one hundred twenty-five dollars, 30
which fee shall be refunded if the application is denied. Such 31
programs shall cover only duties and jurisdiction of such 32
security guards and special police privately employed in a 33
police capacity when such officers do not qualify for training 34
under section 109.71 of the Revised Code. A person attending an 35
approved basic training program administered by the state shall 36
pay to the agency administering the program the cost of the 37
person's participation in the program as determined by the 38
agency. A person attending an approved basic training program 39
administered by a county or municipal corporation shall pay the 40
cost of the person's participation in the program, as determined 41
by the administering subdivision, to the county or the municipal 42
corporation. A person who is issued a certificate for 43
satisfactory completion of an approved basic training program 44
shall pay to the commission a fee of fifteen dollars. A 45
duplicate of a lost, spoliated, or destroyed certificate may be 46
issued upon application and payment of a fee of fifteen dollars. 47
Such certificate or the completion of twenty years of active 48
duty as a peace officer shall satisfy the educational 49

requirements for appointment or commission as a special police officer or special deputy of a political subdivision of this state. 50
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(B) (1) The executive director of the Ohio peace officer training commission, on behalf of the commission and in accordance with rules promulgated by the attorney general, shall certify basic firearms training programs, and shall issue certificates to class A, B, or C licensees or prospective class A, B, or C licensees under Chapter 4749. of the Revised Code and to registered or prospective employees of such class A, B, or C licensees who have satisfactorily completed a basic firearms training program of the type described in division (A) (1) of section 4749.10 of the Revised Code. 53
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Application for approval of a basic firearms training program shall be made to the commission. An application shall be submitted to the commission with a fee of one hundred dollars, which fee shall be refunded if the application is denied. 63
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A person who is issued a certificate for satisfactory completion of an approved basic firearms training program shall pay a fee of ten dollars to the commission. A duplicate of a lost, spoliated, or destroyed certificate may be issued upon application and payment of a fee of five dollars. 67
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(2) The executive director, on behalf of the commission and in accordance with rules promulgated by the attorney general, also shall certify firearms requalification training programs and instructors for the annual requalification of class A, B, or C licensees under Chapter 4749. of the Revised Code and registered or prospective employees of such class A, B, or C licensees who are authorized to carry a firearm under section 4749.10 of the Revised Code. Application for approval of a 72
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training program or instructor for such purpose shall be made to 80
the commission. Such an application shall be submitted to the 81
commission with a fee of fifty dollars, which fee shall be 82
refunded if the application is denied. 83

(3) The executive director, upon request, also shall 84
review firearms training received within three years prior to 85
November 23, 1985, by any class A, B, or C licensee or 86
prospective class A, B, or C licensee, or by any registered or 87
prospective employee of any class A, B, or C licensee under 88
Chapter 4749. of the Revised Code to determine if the training 89
received is equivalent to a basic firearms training program that 90
includes twenty hours of handgun training and five hours of 91
training in the use of other firearms, if any other firearm is 92
to be used. If the executive director determines the training 93
was received within the three-year period and that it is 94
equivalent to such a program, the executive director shall issue 95
written evidence of approval of the equivalency training to the 96
licensee or employee. 97

(C) There is hereby established in the state treasury the 98
peace officer private security fund, which shall be used by the 99
Ohio peace officer training commission to administer the 100
training program to qualify persons for positions as special 101
police, security guards, or other private employment in a police 102
capacity, as described in division (A) of this section, and the 103
training program in basic firearms and the training program for 104
firearms requalification, both as described in division (B) of 105
this section. All fees paid to the commission by applicants for 106
approval of a training program designed to qualify persons for 107
such private police positions, basic firearms training program, 108
or a firearms requalification training program or instructor, as 109
required by division (A) or (B) of this section, by persons who 110

satisfactorily complete a private police training program or a 111
basic firearms training program, as required by division (A) or 112
(B) of this section, or by persons who satisfactorily requalify 113
in firearms use, as required by division (B) (2) of section 114
4749.10 of the Revised Code, shall be transmitted to the 115
treasurer of state for deposit in the fund. The fund shall be 116
used only for the purpose set forth in this division. 117

~~(D) No (D) (1) Subject to division (D) (2) of this section,~~ 118
no public or private educational institution or superintendent 119
of the state highway patrol shall employ a person as a special 120
police officer, as a security guard, or other for a similar law 121
enforcement or security position in which such person goes armed 122
while on duty, who has not received a certificate of having 123
satisfactorily completed an approved basic peace officer 124
training program, unless the person has completed twenty years 125
of active duty as a peace officer. 126

(2) Division (D) (1) of this section does not apply to a 127
person who is employed by a school district board of education 128
or governing body of a community school established under 129
Chapter 3314. of the Revised Code, STEM school established under 130
Chapter 3326. of the Revised Code, or chartered nonpublic school 131
and who has been authorized by a board or governing body to 132
voluntarily go armed within a school safety zone within which 133
the board or governing body has authority, if both of the 134
following apply with respect to the employment and person: 135

(a) The person is within the category of persons 136
authorized to go armed within a school safety zone specified 137
under division (D) (1) (d) of section 2923.122 of the Revised 138
Code. 139

(b) The person is not being employed as a special police 140

officer or security officer. 141

(E) The general assembly, in amending division (D) of this 142
section pursuant to H.B. 99 of the 134th general assembly, 143
hereby declares that the purpose of those amendments is to 144
expressly overrule the decision of the Ohio Supreme Court in the 145
case *Gabbard v. Madison Local School Dist. Bd. of Edn.*, Slip 146
Opinion No. 2021-Ohio-2067. 147

Sec. 149.43. (A) As used in this section: 148

(1) "Public record" means records kept by any public 149
office, including, but not limited to, state, county, city, 150
village, township, and school district units, and records 151
pertaining to the delivery of educational services by an 152
alternative school in this state kept by the nonprofit or for- 153
profit entity operating the alternative school pursuant to 154
section 3313.533 of the Revised Code. "Public record" does not 155
mean any of the following: 156

(a) Medical records; 157

(b) Records pertaining to probation and parole 158
proceedings, to proceedings related to the imposition of 159
community control sanctions and post-release control sanctions, 160
or to proceedings related to determinations under section 161
2967.271 of the Revised Code regarding the release or maintained 162
incarceration of an offender to whom that section applies; 163

(c) Records pertaining to actions under section 2151.85 164
and division (C) of section 2919.121 of the Revised Code and to 165
appeals of actions arising under those sections; 166

(d) Records pertaining to adoption proceedings, including 167
the contents of an adoption file maintained by the department of 168
health under sections 3705.12 to 3705.124 of the Revised Code; 169

(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;	170 171 172 173 174 175
(f) Records specified in division (A) of section 3107.52 of the Revised Code;	176 177
(g) Trial preparation records;	178
(h) Confidential law enforcement investigatory records;	179
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	180 181
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	182 183
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	184 185 186 187
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	188 189 190 191
(m) Intellectual property records;	192
(n) Donor profile records;	193
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	194 195
(p) Designated public service worker residential and	196

familial information;	197
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	198 199 200 201 202
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	203 204
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;	205 206 207 208 209 210 211 212 213 214 215 216
(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;	217 218 219 220 221
(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or	222 223 224 225

contracts under that section with a private or government entity	226
to administer;	227
(v) Records the release of which is prohibited by state or	228
federal law;	229
(w) Proprietary information of or relating to any person	230
that is submitted to or compiled by the Ohio venture capital	231
authority created under section 150.01 of the Revised Code;	232
(x) Financial statements and data any person submits for	233
any purpose to the Ohio housing finance agency or the	234
controlling board in connection with applying for, receiving, or	235
accounting for financial assistance from the agency, and	236
information that identifies any individual who benefits directly	237
or indirectly from financial assistance from the agency;	238
(y) Records listed in section 5101.29 of the Revised Code;	239
(z) Discharges recorded with a county recorder under	240
section 317.24 of the Revised Code, as specified in division (B)	241
(2) of that section;	242
(aa) Usage information including names and addresses of	243
specific residential and commercial customers of a municipally	244
owned or operated public utility;	245
(bb) Records described in division (C) of section 187.04	246
of the Revised Code that are not designated to be made available	247
to the public as provided in that division;	248
(cc) Information and records that are made confidential,	249
privileged, and not subject to disclosure under divisions (B)	250
and (C) of section 2949.221 of the Revised Code;	251
(dd) Personal information, as defined in section 149.45 of	252
the Revised Code;	253

(ee) The confidential name, address, and other personally 254
identifiable information of a program participant in the address 255
confidentiality program established under sections 111.41 to 256
111.47 of the Revised Code, including the contents of any 257
application for absent voter's ballots, absent voter's ballot 258
identification envelope statement of voter, or provisional 259
ballot affirmation completed by a program participant who has a 260
confidential voter registration record; records or portions of 261
records pertaining to that program that identify the number of 262
program participants that reside within a precinct, ward, 263
township, municipal corporation, county, or any other geographic 264
area smaller than the state; and any real property 265
confidentiality notice filed under section 111.431 of the 266
Revised Code and the information described in division (C) of 267
that section. As used in this division, "confidential address" 268
and "program participant" have the meaning defined in section 269
111.41 of the Revised Code. 270

(ff) Orders for active military service of an individual 271
serving or with previous service in the armed forces of the 272
United States, including a reserve component, or the Ohio 273
organized militia, except that, such order becomes a public 274
record on the day that is fifteen years after the published date 275
or effective date of the call to order; 276

(gg) The name, address, contact information, or other 277
personal information of an individual who is less than eighteen 278
years of age that is included in any record related to a traffic 279
accident involving a school vehicle in which the individual was 280
an occupant at the time of the accident; 281

(hh) Protected health information, as defined in 45 C.F.R. 282
160.103, that is in a claim for payment for a health care 283

product, service, or procedure, as well as any other health 284
claims data in another document that reveals the identity of an 285
individual who is the subject of the data or could be used to 286
reveal that individual's identity; 287

(ii) Any depiction by photograph, film, videotape, or 288
printed or digital image under either of the following 289
circumstances: 290

(i) The depiction is that of a victim of an offense the 291
release of which would be, to a reasonable person of ordinary 292
sensibilities, an offensive and objectionable intrusion into the 293
victim's expectation of bodily privacy and integrity. 294

(ii) The depiction captures or depicts the victim of a 295
sexually oriented offense, as defined in section 2950.01 of the 296
Revised Code, at the actual occurrence of that offense. 297

(jj) Restricted portions of a body-worn camera or 298
dashboard camera recording; 299

(kk) In the case of a fetal-infant mortality review board 300
acting under sections 3707.70 to 3707.77 of the Revised Code, 301
records, documents, reports, or other information presented to 302
the board or a person abstracting such materials on the board's 303
behalf, statements made by review board members during board 304
meetings, all work products of the board, and data submitted by 305
the board to the department of health or a national infant death 306
review database, other than the report prepared pursuant to 307
section 3707.77 of the Revised Code. 308

(ll) Records, documents, reports, or other information 309
presented to the pregnancy-associated mortality review board 310
established under section 3738.01 of the Revised Code, 311
statements made by board members during board meetings, all work 312

products of the board, and data submitted by the board to the 313
department of health, other than the biennial reports prepared 314
under section 3738.08 of the Revised Code; 315

(mm) Except as otherwise provided in division (A) (1) (oo) 316
of this section, telephone numbers for a victim, as defined in 317
section 2930.01 of the Revised Code or a witness to a crime that 318
are listed on any law enforcement record or report. 319

(nn) A preneed funeral contract, as defined in section 320
4717.01 of the Revised Code, and contract terms and personally 321
identifying information of a preneed funeral contract, that is 322
contained in a report submitted by or for a funeral home to the 323
board of embalmers and funeral directors under division (C) of 324
section 4717.13, division (J) of section 4717.31, or section 325
4717.41 of the Revised Code. 326

(oo) Telephone numbers for a party to a motor vehicle 327
accident subject to the requirements of section 5502.11 of the 328
Revised Code that are listed on any law enforcement record or 329
report, except that the telephone numbers described in this 330
division are not excluded from the definition of "public record" 331
under this division on and after the thirtieth day after the 332
occurrence of the motor vehicle accident. 333

(pp) Records pertaining to individuals who complete 334
training under section 5502.703 of the Revised Code to be 335
permitted by a school district board of education or governing 336
body of a community school established under Chapter 3314. of 337
the Revised Code, a STEM school established under Chapter 3326. 338
of the Revised Code, or a chartered nonpublic school to convey 339
deadly weapons or dangerous ordnance into a school safety zone. 340

A record that is not a public record under division (A) (1) 341

of this section and that, under law, is permanently retained 342
becomes a public record on the day that is seventy-five years 343
after the day on which the record was created, except for any 344
record protected by the attorney-client privilege, a trial 345
preparation record as defined in this section, a statement 346
prohibiting the release of identifying information signed under 347
section 3107.083 of the Revised Code, a denial of release form 348
filed pursuant to section 3107.46 of the Revised Code, or any 349
record that is exempt from release or disclosure under section 350
149.433 of the Revised Code. If the record is a birth 351
certificate and a biological parent's name redaction request 352
form has been accepted under section 3107.391 of the Revised 353
Code, the name of that parent shall be redacted from the birth 354
certificate before it is released under this paragraph. If any 355
other section of the Revised Code establishes a time period for 356
disclosure of a record that conflicts with the time period 357
specified in this section, the time period in the other section 358
prevails. 359

(2) "Confidential law enforcement investigatory record" 360
means any record that pertains to a law enforcement matter of a 361
criminal, quasi-criminal, civil, or administrative nature, but 362
only to the extent that the release of the record would create a 363
high probability of disclosure of any of the following: 364

(a) The identity of a suspect who has not been charged 365
with the offense to which the record pertains, or of an 366
information source or witness to whom confidentiality has been 367
reasonably promised; 368

(b) Information provided by an information source or 369
witness to whom confidentiality has been reasonably promised, 370
which information would reasonably tend to disclose the source's 371

or witness's identity;	372
(c) Specific confidential investigatory techniques or	373
procedures or specific investigatory work product;	374
(d) Information that would endanger the life or physical	375
safety of law enforcement personnel, a crime victim, a witness,	376
or a confidential information source.	377
(3) "Medical record" means any document or combination of	378
documents, except births, deaths, and the fact of admission to	379
or discharge from a hospital, that pertains to the medical	380
history, diagnosis, prognosis, or medical condition of a patient	381
and that is generated and maintained in the process of medical	382
treatment.	383
(4) "Trial preparation record" means any record that	384
contains information that is specifically compiled in reasonable	385
anticipation of, or in defense of, a civil or criminal action or	386
proceeding, including the independent thought processes and	387
personal trial preparation of an attorney.	388
(5) "Intellectual property record" means a record, other	389
than a financial or administrative record, that is produced or	390
collected by or for faculty or staff of a state institution of	391
higher learning in the conduct of or as a result of study or	392
research on an educational, commercial, scientific, artistic,	393
technical, or scholarly issue, regardless of whether the study	394
or research was sponsored by the institution alone or in	395
conjunction with a governmental body or private concern, and	396
that has not been publicly released, published, or patented.	397
(6) "Donor profile record" means all records about donors	398
or potential donors to a public institution of higher education	399
except the names and reported addresses of the actual donors and	400

the date, amount, and conditions of the actual donation. 401

(7) "Designated public service worker" means a peace 402
officer, parole officer, probation officer, bailiff, prosecuting 403
attorney, assistant prosecuting attorney, correctional employee, 404
county or multicounty corrections officer, community-based 405
correctional facility employee, designated Ohio national guard 406
member, protective services worker, youth services employee, 407
firefighter, EMT, medical director or member of a cooperating 408
physician advisory board of an emergency medical service 409
organization, state board of pharmacy employee, investigator of 410
the bureau of criminal identification and investigation, 411
emergency service telecommunicator, forensic mental health 412
provider, mental health evaluation provider, regional 413
psychiatric hospital employee, judge, magistrate, or federal law 414
enforcement officer. 415

(8) "Designated public service worker residential and 416
familial information" means any information that discloses any 417
of the following about a designated public service worker: 418

(a) The address of the actual personal residence of a 419
designated public service worker, except for the following 420
information: 421

(i) The address of the actual personal residence of a 422
prosecuting attorney or judge; and 423

(ii) The state or political subdivision in which a 424
designated public service worker resides. 425

(b) Information compiled from referral to or participation 426
in an employee assistance program; 427

(c) The social security number, the residential telephone 428
number, any bank account, debit card, charge card, or credit 429

card number, or the emergency telephone number of, or any 430
medical information pertaining to, a designated public service 431
worker; 432

(d) The name of any beneficiary of employment benefits, 433
including, but not limited to, life insurance benefits, provided 434
to a designated public service worker by the designated public 435
service worker's employer; 436

(e) The identity and amount of any charitable or 437
employment benefit deduction made by the designated public 438
service worker's employer from the designated public service 439
worker's compensation, unless the amount of the deduction is 440
required by state or federal law; 441

(f) The name, the residential address, the name of the 442
employer, the address of the employer, the social security 443
number, the residential telephone number, any bank account, 444
debit card, charge card, or credit card number, or the emergency 445
telephone number of the spouse, a former spouse, or any child of 446
a designated public service worker; 447

(g) A photograph of a peace officer who holds a position 448
or has an assignment that may include undercover or plain 449
clothes positions or assignments as determined by the peace 450
officer's appointing authority. 451

(9) As used in divisions (A) (7) and (15) to (17) of this 452
section: 453

"Peace officer" has the meaning defined in section 109.71 454
of the Revised Code and also includes the superintendent and 455
troopers of the state highway patrol; it does not include the 456
sheriff of a county or a supervisory employee who, in the 457
absence of the sheriff, is authorized to stand in for, exercise 458

the authority of, and perform the duties of the sheriff. 459

"Correctional employee" means any employee of the 460
department of rehabilitation and correction who in the course of 461
performing the employee's job duties has or has had contact with 462
inmates and persons under supervision. 463

"County or multicounty corrections officer" means any 464
corrections officer employed by any county or multicounty 465
correctional facility. 466

"Designated Ohio national guard member" means a member of 467
the Ohio national guard who is participating in duties related 468
to remotely piloted aircraft, including, but not limited to, 469
pilots, sensor operators, and mission intelligence personnel, 470
duties related to special forces operations, or duties related 471
to cybersecurity, and is designated by the adjutant general as a 472
designated public service worker for those purposes. 473

"Protective services worker" means any employee of a 474
county agency who is responsible for child protective services, 475
child support services, or adult protective services. 476

"Youth services employee" means any employee of the 477
department of youth services who in the course of performing the 478
employee's job duties has or has had contact with children 479
committed to the custody of the department of youth services. 480

"Firefighter" means any regular, paid or volunteer, member 481
of a lawfully constituted fire department of a municipal 482
corporation, township, fire district, or village. 483

"EMT" means EMTs-basic, EMTs-I, and paramedics that 484
provide emergency medical services for a public emergency 485
medical service organization. "Emergency medical service 486
organization," "EMT-basic," "EMT-I," and "paramedic" have the 487

meanings defined in section 4765.01 of the Revised Code.	488
"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.	489 490 491
"Emergency service telecommunicator" has the meaning defined in section 4742.01 of the Revised Code.	492 493
"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.	494 495 496 497 498 499 500
"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section 5122.01 of the Revised Code, and reports to the probate court the respondent's mental condition.	501 502 503 504 505 506
"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction services who, in the course of performing the employee's duties, has contact with patients committed to the department of mental health and addiction services by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.	507 508 509 510 511 512 513
"Federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code.	514 515
(10) "Information pertaining to the recreational	516

activities of a person under the age of eighteen" means 517
information that is kept in the ordinary course of business by a 518
public office, that pertains to the recreational activities of a 519
person under the age of eighteen years, and that discloses any 520
of the following: 521

(a) The address or telephone number of a person under the 522
age of eighteen or the address or telephone number of that 523
person's parent, guardian, custodian, or emergency contact 524
person; 525

(b) The social security number, birth date, or 526
photographic image of a person under the age of eighteen; 527

(c) Any medical record, history, or information pertaining 528
to a person under the age of eighteen; 529

(d) Any additional information sought or required about a 530
person under the age of eighteen for the purpose of allowing 531
that person to participate in any recreational activity 532
conducted or sponsored by a public office or to use or obtain 533
admission privileges to any recreational facility owned or 534
operated by a public office. 535

(11) "Community control sanction" has the meaning defined 536
in section 2929.01 of the Revised Code. 537

(12) "Post-release control sanction" has the meaning 538
defined in section 2967.01 of the Revised Code. 539

(13) "Redaction" means obscuring or deleting any 540
information that is exempt from the duty to permit public 541
inspection or copying from an item that otherwise meets the 542
definition of a "record" in section 149.011 of the Revised Code. 543

(14) "Designee," "elected official," and "future official" 544

have the meanings defined in section 109.43 of the Revised Code. 545

(15) "Body-worn camera" means a visual and audio recording 546
device worn on the person of a peace officer while the peace 547
officer is engaged in the performance of the peace officer's 548
duties. 549

(16) "Dashboard camera" means a visual and audio recording 550
device mounted on a peace officer's vehicle or vessel that is 551
used while the peace officer is engaged in the performance of 552
the peace officer's duties. 553

(17) "Restricted portions of a body-worn camera or 554
dashboard camera recording" means any visual or audio portion of 555
a body-worn camera or dashboard camera recording that shows, 556
communicates, or discloses any of the following: 557

(a) The image or identity of a child or information that 558
could lead to the identification of a child who is a primary 559
subject of the recording when the law enforcement agency knows 560
or has reason to know the person is a child based on the law 561
enforcement agency's records or the content of the recording; 562

(b) The death of a person or a deceased person's body, 563
unless the death was caused by a peace officer or, subject to 564
division (H)(1) of this section, the consent of the decedent's 565
executor or administrator has been obtained; 566

(c) The death of a peace officer, firefighter, paramedic, 567
or other first responder, occurring while the decedent was 568
engaged in the performance of official duties, unless, subject 569
to division (H)(1) of this section, the consent of the 570
decedent's executor or administrator has been obtained; 571

(d) Grievous bodily harm, unless the injury was effected 572
by a peace officer or, subject to division (H)(1) of this 573

section, the consent of the injured person or the injured person's guardian has been obtained; 574
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(e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a peace officer or, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained; 576
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(f) Grievous bodily harm to a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained; 581
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(g) An act of severe violence resulting in serious physical harm against a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H) (1) of this section, the consent of the injured person or the injured person's guardian has been obtained; 587
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(h) A person's nude body, unless, subject to division (H) (1) of this section, the person's consent has been obtained; 593
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(i) Protected health information, the identity of a person in a health care facility who is not the subject of a law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter; 595
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(j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence; 600
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(k) Information, that does not constitute a confidential 602

law enforcement investigatory record, that could identify a 603
person who provides sensitive or confidential information to a 604
law enforcement agency when the disclosure of the person's 605
identity or the information provided could reasonably be 606
expected to threaten or endanger the safety or property of the 607
person or another person; 608

(l) Personal information of a person who is not arrested, 609
cited, charged, or issued a written warning by a peace officer; 610

(m) Proprietary police contingency plans or tactics that 611
are intended to prevent crime and maintain public order and 612
safety; 613

(n) A personal conversation unrelated to work between 614
peace officers or between a peace officer and an employee of a 615
law enforcement agency; 616

(o) A conversation between a peace officer and a member of 617
the public that does not concern law enforcement activities; 618

(p) The interior of a residence, unless the interior of a 619
residence is the location of an adversarial encounter with, or a 620
use of force by, a peace officer; 621

(q) Any portion of the interior of a private business that 622
is not open to the public, unless an adversarial encounter with, 623
or a use of force by, a peace officer occurs in that location. 624

As used in division (A) (17) of this section: 625

"Grievous bodily harm" has the same meaning as in section 626
5924.120 of the Revised Code. 627

"Health care facility" has the same meaning as in section 628
1337.11 of the Revised Code. 629

"Protected health information" has the same meaning as in 630
45 C.F.R. 160.103. 631

"Law enforcement agency" has the same meaning as in 632
section 2925.61 of the Revised Code. 633

"Personal information" means any government-issued 634
identification number, date of birth, address, financial 635
information, or criminal justice information from the law 636
enforcement automated data system or similar databases. 637

"Sex offense" has the same meaning as in section 2907.10 638
of the Revised Code. 639

"Firefighter," "paramedic," and "first responder" have the 640
same meanings as in section 4765.01 of the Revised Code. 641

(B) (1) Upon request by any person and subject to division 642
(B) (8) of this section, all public records responsive to the 643
request shall be promptly prepared and made available for 644
inspection to the requester at all reasonable times during 645
regular business hours. Subject to division (B) (8) of this 646
section, upon request by any person, a public office or person 647
responsible for public records shall make copies of the 648
requested public record available to the requester at cost and 649
within a reasonable period of time. If a public record contains 650
information that is exempt from the duty to permit public 651
inspection or to copy the public record, the public office or 652
the person responsible for the public record shall make 653
available all of the information within the public record that 654
is not exempt. When making that public record available for 655
public inspection or copying that public record, the public 656
office or the person responsible for the public record shall 657
notify the requester of any redaction or make the redaction 658

plainly visible. A redaction shall be deemed a denial of a 659
request to inspect or copy the redacted information, except if 660
federal or state law authorizes or requires a public office to 661
make the redaction. 662

(2) To facilitate broader access to public records, a 663
public office or the person responsible for public records shall 664
organize and maintain public records in a manner that they can 665
be made available for inspection or copying in accordance with 666
division (B) of this section. A public office also shall have 667
available a copy of its current records retention schedule at a 668
location readily available to the public. If a requester makes 669
an ambiguous or overly broad request or has difficulty in making 670
a request for copies or inspection of public records under this 671
section such that the public office or the person responsible 672
for the requested public record cannot reasonably identify what 673
public records are being requested, the public office or the 674
person responsible for the requested public record may deny the 675
request but shall provide the requester with an opportunity to 676
revise the request by informing the requester of the manner in 677
which records are maintained by the public office and accessed 678
in the ordinary course of the public office's or person's 679
duties. 680

(3) If a request is ultimately denied, in part or in 681
whole, the public office or the person responsible for the 682
requested public record shall provide the requester with an 683
explanation, including legal authority, setting forth why the 684
request was denied. If the initial request was provided in 685
writing, the explanation also shall be provided to the requester 686
in writing. The explanation shall not preclude the public office 687
or the person responsible for the requested public record from 688
relying upon additional reasons or legal authority in defending 689

an action commenced under division (C) of this section. 690

(4) Unless specifically required or authorized by state or 691
federal law or in accordance with division (B) of this section, 692
no public office or person responsible for public records may 693
limit or condition the availability of public records by 694
requiring disclosure of the requester's identity or the intended 695
use of the requested public record. Any requirement that the 696
requester disclose the requester's identity or the intended use 697
of the requested public record constitutes a denial of the 698
request. 699

(5) A public office or person responsible for public 700
records may ask a requester to make the request in writing, may 701
ask for the requester's identity, and may inquire about the 702
intended use of the information requested, but may do so only 703
after disclosing to the requester that a written request is not 704
mandatory, that the requester may decline to reveal the 705
requester's identity or the intended use, and when a written 706
request or disclosure of the identity or intended use would 707
benefit the requester by enhancing the ability of the public 708
office or person responsible for public records to identify, 709
locate, or deliver the public records sought by the requester. 710

(6) If any person requests a copy of a public record in 711
accordance with division (B) of this section, the public office 712
or person responsible for the public record may require the 713
requester to pay in advance the cost involved in providing the 714
copy of the public record in accordance with the choice made by 715
the requester under this division. The public office or the 716
person responsible for the public record shall permit the 717
requester to choose to have the public record duplicated upon 718
paper, upon the same medium upon which the public office or 719

person responsible for the public record keeps it, or upon any 720
other medium upon which the public office or person responsible 721
for the public record determines that it reasonably can be 722
duplicated as an integral part of the normal operations of the 723
public office or person responsible for the public record. When 724
the requester makes a choice under this division, the public 725
office or person responsible for the public record shall provide 726
a copy of it in accordance with the choice made by the 727
requester. Nothing in this section requires a public office or 728
person responsible for the public record to allow the requester 729
of a copy of the public record to make the copies of the public 730
record. 731

(7) (a) Upon a request made in accordance with division (B) 732
of this section and subject to division (B) (6) of this section, 733
a public office or person responsible for public records shall 734
transmit a copy of a public record to any person by United 735
States mail or by any other means of delivery or transmission 736
within a reasonable period of time after receiving the request 737
for the copy. The public office or person responsible for the 738
public record may require the person making the request to pay 739
in advance the cost of postage if the copy is transmitted by 740
United States mail or the cost of delivery if the copy is 741
transmitted other than by United States mail, and to pay in 742
advance the costs incurred for other supplies used in the 743
mailing, delivery, or transmission. 744

(b) Any public office may adopt a policy and procedures 745
that it will follow in transmitting, within a reasonable period 746
of time after receiving a request, copies of public records by 747
United States mail or by any other means of delivery or 748
transmission pursuant to division (B) (7) of this section. A 749
public office that adopts a policy and procedures under division 750

(B) (7) of this section shall comply with them in performing its 751
duties under that division. 752

(c) In any policy and procedures adopted under division 753
(B) (7) of this section: 754

(i) A public office may limit the number of records 755
requested by a person that the office will physically deliver by 756
United States mail or by another delivery service to ten per 757
month, unless the person certifies to the office in writing that 758
the person does not intend to use or forward the requested 759
records, or the information contained in them, for commercial 760
purposes; 761

(ii) A public office that chooses to provide some or all 762
of its public records on a web site that is fully accessible to 763
and searchable by members of the public at all times, other than 764
during acts of God outside the public office's control or 765
maintenance, and that charges no fee to search, access, 766
download, or otherwise receive records provided on the web site, 767
may limit to ten per month the number of records requested by a 768
person that the office will deliver in a digital format, unless 769
the requested records are not provided on the web site and 770
unless the person certifies to the office in writing that the 771
person does not intend to use or forward the requested records, 772
or the information contained in them, for commercial purposes. 773

(iii) For purposes of division (B) (7) of this section, 774
"commercial" shall be narrowly construed and does not include 775
reporting or gathering news, reporting or gathering information 776
to assist citizen oversight or understanding of the operation or 777
activities of government, or nonprofit educational research. 778

(8) A public office or person responsible for public 779

records is not required to permit a person who is incarcerated 780
pursuant to a criminal conviction or a juvenile adjudication to 781
inspect or to obtain a copy of any public record concerning a 782
criminal investigation or prosecution or concerning what would 783
be a criminal investigation or prosecution if the subject of the 784
investigation or prosecution were an adult, unless the request 785
to inspect or to obtain a copy of the record is for the purpose 786
of acquiring information that is subject to release as a public 787
record under this section and the judge who imposed the sentence 788
or made the adjudication with respect to the person, or the 789
judge's successor in office, finds that the information sought 790
in the public record is necessary to support what appears to be 791
a justiciable claim of the person. 792

(9) (a) Upon written request made and signed by a 793
journalist, a public office, or person responsible for public 794
records, having custody of the records of the agency employing a 795
specified designated public service worker shall disclose to the 796
journalist the address of the actual personal residence of the 797
designated public service worker and, if the designated public 798
service worker's spouse, former spouse, or child is employed by 799
a public office, the name and address of the employer of the 800
designated public service worker's spouse, former spouse, or 801
child. The request shall include the journalist's name and title 802
and the name and address of the journalist's employer and shall 803
state that disclosure of the information sought would be in the 804
public interest. 805

(b) Division (B) (9) (a) of this section also applies to 806
journalist requests for: 807

(i) Customer information maintained by a municipally owned 808
or operated public utility, other than social security numbers 809

and any private financial information such as credit reports, 810
payment methods, credit card numbers, and bank account 811
information; 812

(ii) Information about minors involved in a school vehicle 813
accident as provided in division (A)(1)(gg) of this section, 814
other than personal information as defined in section 149.45 of 815
the Revised Code. 816

(c) As used in division (B)(9) of this section, 817
"journalist" means a person engaged in, connected with, or 818
employed by any news medium, including a newspaper, magazine, 819
press association, news agency, or wire service, a radio or 820
television station, or a similar medium, for the purpose of 821
gathering, processing, transmitting, compiling, editing, or 822
disseminating information for the general public. 823

(10) Upon a request made by a victim, victim's attorney, 824
or victim's representative, as that term is used in section 825
2930.02 of the Revised Code, a public office or person 826
responsible for public records shall transmit a copy of a 827
depiction of the victim as described in division (A)(1)(ii) of 828
this section to the victim, victim's attorney, or victim's 829
representative. 830

(C)(1) If a person allegedly is aggrieved by the failure 831
of a public office or the person responsible for public records 832
to promptly prepare a public record and to make it available to 833
the person for inspection in accordance with division (B) of 834
this section or by any other failure of a public office or the 835
person responsible for public records to comply with an 836
obligation in accordance with division (B) of this section, the 837
person allegedly aggrieved may do only one of the following, and 838
not both: 839

(a) File a complaint with the clerk of the court of claims 840
or the clerk of the court of common pleas under section 2743.75 841
of the Revised Code; 842

(b) Commence a mandamus action to obtain a judgment that 843
orders the public office or the person responsible for the 844
public record to comply with division (B) of this section, that 845
awards court costs and reasonable attorney's fees to the person 846
that instituted the mandamus action, and, if applicable, that 847
includes an order fixing statutory damages under division (C) (2) 848
of this section. The mandamus action may be commenced in the 849
court of common pleas of the county in which division (B) of 850
this section allegedly was not complied with, in the supreme 851
court pursuant to its original jurisdiction under Section 2 of 852
Article IV, Ohio Constitution, or in the court of appeals for 853
the appellate district in which division (B) of this section 854
allegedly was not complied with pursuant to its original 855
jurisdiction under Section 3 of Article IV, Ohio Constitution. 856

(2) If a requester transmits a written request by hand 857
delivery, electronic submission, or certified mail to inspect or 858
receive copies of any public record in a manner that fairly 859
describes the public record or class of public records to the 860
public office or person responsible for the requested public 861
records, except as otherwise provided in this section, the 862
requester shall be entitled to recover the amount of statutory 863
damages set forth in this division if a court determines that 864
the public office or the person responsible for public records 865
failed to comply with an obligation in accordance with division 866
(B) of this section. 867

The amount of statutory damages shall be fixed at one 868
hundred dollars for each business day during which the public 869

office or person responsible for the requested public records 870
failed to comply with an obligation in accordance with division 871
(B) of this section, beginning with the day on which the 872
requester files a mandamus action to recover statutory damages, 873
up to a maximum of one thousand dollars. The award of statutory 874
damages shall not be construed as a penalty, but as compensation 875
for injury arising from lost use of the requested information. 876
The existence of this injury shall be conclusively presumed. The 877
award of statutory damages shall be in addition to all other 878
remedies authorized by this section. 879

The court may reduce an award of statutory damages or not 880
award statutory damages if the court determines both of the 881
following: 882

(a) That, based on the ordinary application of statutory 883
law and case law as it existed at the time of the conduct or 884
threatened conduct of the public office or person responsible 885
for the requested public records that allegedly constitutes a 886
failure to comply with an obligation in accordance with division 887
(B) of this section and that was the basis of the mandamus 888
action, a well-informed public office or person responsible for 889
the requested public records reasonably would believe that the 890
conduct or threatened conduct of the public office or person 891
responsible for the requested public records did not constitute 892
a failure to comply with an obligation in accordance with 893
division (B) of this section; 894

(b) That a well-informed public office or person 895
responsible for the requested public records reasonably would 896
believe that the conduct or threatened conduct of the public 897
office or person responsible for the requested public records 898
would serve the public policy that underlies the authority that 899

is asserted as permitting that conduct or threatened conduct. 900

(3) In a mandamus action filed under division (C) (1) of 901
this section, the following apply: 902

(a) (i) If the court orders the public office or the person 903
responsible for the public record to comply with division (B) of 904
this section, the court shall determine and award to the relator 905
all court costs, which shall be construed as remedial and not 906
punitive. 907

(ii) If the court makes a determination described in 908
division (C) (3) (b) (iii) of this section, the court shall 909
determine and award to the relator all court costs, which shall 910
be construed as remedial and not punitive. 911

(b) If the court renders a judgment that orders the public 912
office or the person responsible for the public record to comply 913
with division (B) of this section or if the court determines any 914
of the following, the court may award reasonable attorney's fees 915
to the relator, subject to division (C) (4) of this section: 916

(i) The public office or the person responsible for the 917
public records failed to respond affirmatively or negatively to 918
the public records request in accordance with the time allowed 919
under division (B) of this section. 920

(ii) The public office or the person responsible for the 921
public records promised to permit the relator to inspect or 922
receive copies of the public records requested within a 923
specified period of time but failed to fulfill that promise 924
within that specified period of time. 925

(iii) The public office or the person responsible for the 926
public records acted in bad faith when the office or person 927
voluntarily made the public records available to the relator for 928

the first time after the relator commenced the mandamus action, 929
but before the court issued any order concluding whether or not 930
the public office or person was required to comply with division 931
(B) of this section. No discovery may be conducted on the issue 932
of the alleged bad faith of the public office or person 933
responsible for the public records. This division shall not be 934
construed as creating a presumption that the public office or 935
the person responsible for the public records acted in bad faith 936
when the office or person voluntarily made the public records 937
available to the relator for the first time after the relator 938
commenced the mandamus action, but before the court issued any 939
order described in this division. 940

(c) The court shall not award attorney's fees to the 941
relator if the court determines both of the following: 942

(i) That, based on the ordinary application of statutory 943
law and case law as it existed at the time of the conduct or 944
threatened conduct of the public office or person responsible 945
for the requested public records that allegedly constitutes a 946
failure to comply with an obligation in accordance with division 947
(B) of this section and that was the basis of the mandamus 948
action, a well-informed public office or person responsible for 949
the requested public records reasonably would believe that the 950
conduct or threatened conduct of the public office or person 951
responsible for the requested public records did not constitute 952
a failure to comply with an obligation in accordance with 953
division (B) of this section; 954

(ii) That a well-informed public office or person 955
responsible for the requested public records reasonably would 956
believe that the conduct or threatened conduct of the public 957
office or person responsible for the requested public records 958

would serve the public policy that underlies the authority that 959
is asserted as permitting that conduct or threatened conduct. 960

(4) All of the following apply to any award of reasonable 961
attorney's fees awarded under division (C) (3) (b) of this 962
section: 963

(a) The fees shall be construed as remedial and not 964
punitive. 965

(b) The fees awarded shall not exceed the total of the 966
reasonable attorney's fees incurred before the public record was 967
made available to the relator and the fees described in division 968
(C) (4) (c) of this section. 969

(c) Reasonable attorney's fees shall include reasonable 970
fees incurred to produce proof of the reasonableness and amount 971
of the fees and to otherwise litigate entitlement to the fees. 972

(d) The court may reduce the amount of fees awarded if the 973
court determines that, given the factual circumstances involved 974
with the specific public records request, an alternative means 975
should have been pursued to more effectively and efficiently 976
resolve the dispute that was subject to the mandamus action 977
filed under division (C) (1) of this section. 978

(5) If the court does not issue a writ of mandamus under 979
division (C) of this section and the court determines at that 980
time that the bringing of the mandamus action was frivolous 981
conduct as defined in division (A) of section 2323.51 of the 982
Revised Code, the court may award to the public office all court 983
costs, expenses, and reasonable attorney's fees, as determined 984
by the court. 985

(D) Chapter 1347. of the Revised Code does not limit the 986
provisions of this section. 987

(E) (1) To ensure that all employees of public offices are 988
appropriately educated about a public office's obligations under 989
division (B) of this section, all elected officials or their 990
appropriate designees shall attend training approved by the 991
attorney general as provided in section 109.43 of the Revised 992
Code. A future official may satisfy the requirements of this 993
division by attending the training before taking office, 994
provided that the future official may not send a designee in the 995
future official's place. 996

(2) All public offices shall adopt a public records policy 997
in compliance with this section for responding to public records 998
requests. In adopting a public records policy under this 999
division, a public office may obtain guidance from the model 1000
public records policy developed and provided to the public 1001
office by the attorney general under section 109.43 of the 1002
Revised Code. Except as otherwise provided in this section, the 1003
policy may not limit the number of public records that the 1004
public office will make available to a single person, may not 1005
limit the number of public records that it will make available 1006
during a fixed period of time, and may not establish a fixed 1007
period of time before it will respond to a request for 1008
inspection or copying of public records, unless that period is 1009
less than eight hours. 1010

The public office shall distribute the public records 1011
policy adopted by the public office under this division to the 1012
employee of the public office who is the records custodian or 1013
records manager or otherwise has custody of the records of that 1014
office. The public office shall require that employee to 1015
acknowledge receipt of the copy of the public records policy. 1016
The public office shall create a poster that describes its 1017
public records policy and shall post the poster in a conspicuous 1018

place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

(F) (1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (F) (1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special

extraction request" does not include a request by a person who 1049
gives assurance to the bureau that the person making the request 1050
does not intend to use or forward the requested copies for 1051
surveys, marketing, solicitation, or resale for commercial 1052
purposes. 1053

(c) "Commercial" means profit-seeking production, buying, 1054
or selling of any good, service, or other product. 1055

(d) "Special extraction costs" means the cost of the time 1056
spent by the lowest paid employee competent to perform the task, 1057
the actual amount paid to outside private contractors employed 1058
by the bureau, or the actual cost incurred to create computer 1059
programs to make the special extraction. "Special extraction 1060
costs" include any charges paid to a public agency for computer 1061
or records services. 1062

(3) For purposes of divisions (F) (1) and (2) of this 1063
section, "surveys, marketing, solicitation, or resale for 1064
commercial purposes" shall be narrowly construed and does not 1065
include reporting or gathering news, reporting or gathering 1066
information to assist citizen oversight or understanding of the 1067
operation or activities of government, or nonprofit educational 1068
research. 1069

(G) A request by a defendant, counsel of a defendant, or 1070
any agent of a defendant in a criminal action that public 1071
records related to that action be made available under this 1072
section shall be considered a demand for discovery pursuant to 1073
the Criminal Rules, except to the extent that the Criminal Rules 1074
plainly indicate a contrary intent. The defendant, counsel of 1075
the defendant, or agent of the defendant making a request under 1076
this division shall serve a copy of the request on the 1077
prosecuting attorney, director of law, or other chief legal 1078

officer responsible for prosecuting the action. 1079

(H) (1) Any portion of a body-worn camera or dashboard 1080
camera recording described in divisions (A) (17) (b) to (h) of 1081
this section may be released by consent of the subject of the 1082
recording or a representative of that person, as specified in 1083
those divisions, only if either of the following applies: 1084

(a) The recording will not be used in connection with any 1085
probable or pending criminal proceedings; 1086

(b) The recording has been used in connection with a 1087
criminal proceeding that was dismissed or for which a judgment 1088
has been entered pursuant to Rule 32 of the Rules of Criminal 1089
Procedure, and will not be used again in connection with any 1090
probable or pending criminal proceedings. 1091

(2) If a public office denies a request to release a 1092
restricted portion of a body-worn camera or dashboard camera 1093
recording, as defined in division (A) (17) of this section, any 1094
person may file a mandamus action pursuant to this section or a 1095
complaint with the clerk of the court of claims pursuant to 1096
section 2743.75 of the Revised Code, requesting the court to 1097
order the release of all or portions of the recording. If the 1098
court considering the request determines that the filing 1099
articulates by clear and convincing evidence that the public 1100
interest in the recording substantially outweighs privacy 1101
interests and other interests asserted to deny release, the 1102
court shall order the public office to release the recording. 1103

Sec. 149.433. (A) As used in this section: 1104

"Act of terrorism" has the same meaning as in section 1105
2909.21 of the Revised Code. 1106

"Express statement" means a written statement 1107

substantially similar to the following: "This information is 1108
voluntarily submitted to a public office in expectation of 1109
protection from disclosure as provided by section 149.433 of the 1110
Revised Code." 1111

"Infrastructure record" means any record that discloses 1112
the configuration of critical systems including, but not limited 1113
to, communication, computer, electrical, mechanical, 1114
ventilation, water, and plumbing systems, security codes, or the 1115
infrastructure or structural configuration of a building. 1116

"Infrastructure record" includes a risk assessment of 1117
infrastructure performed by a state or local law enforcement 1118
agency at the request of a property owner or manager. 1119

"Infrastructure record" does not mean a simple floor plan 1120
that discloses only the spatial relationship of components of 1121
the building. 1122

"Security record" means any of the following: 1123

(1) Any record that contains information directly used for 1124
protecting or maintaining the security of a public office 1125
against attack, interference, or sabotage; 1126

(2) Any record assembled, prepared, or maintained by a 1127
public office or public body to prevent, mitigate, or respond to 1128
acts of terrorism, including any of the following: 1129

(a) Those portions of records containing specific and 1130
unique vulnerability assessments or specific and unique response 1131
plans either of which is intended to prevent or mitigate acts of 1132
terrorism, and communication codes or deployment plans of law 1133
enforcement or emergency response personnel; 1134

(b) Specific intelligence information and specific 1135

investigative records shared by federal and international law 1136
enforcement agencies with state and local law enforcement and 1137
public safety agencies; 1138

(c) National security records classified under federal 1139
executive order and not subject to public disclosure under 1140
federal law that are shared by federal agencies, and other 1141
records related to national security briefings to assist state 1142
and local government with domestic preparedness for acts of 1143
terrorism. 1144

(3) An emergency management plan adopted pursuant to 1145
section 5502.262 of the Revised Code. 1146

(B) (1) A-Except as otherwise provided in division (B) (4) 1147
of this section, a record kept by a public office that is a 1148
security record is not a public record under section 149.43 of 1149
the Revised Code and is not subject to mandatory release or 1150
disclosure under that section. 1151

(2) A-Except as otherwise provided in division (B) (4) of 1152
this section, a record kept by a public office that is an 1153
infrastructure record of a public office, public school, or a 1154
chartered nonpublic school is not a public record under section 1155
149.43 of the Revised Code and is not subject to mandatory 1156
release or disclosure under that section. 1157

(3) A record kept by a public office that is an 1158
infrastructure record of a private entity may be exempted from 1159
release or disclosure under division (C) of this section. 1160

(4) Divisions (B) (1) and (2) of this section do not apply 1161
to a record that is a public notification required to be 1162
provided under division (D) (1) (d) of section 2923.122 of the 1163
Revised Code. A record that is such a public notification is a 1164

public record to the extent that it is required to be provided 1165
under division (D) (1) (d) of section 2923.122 of the Revised 1166
Code. 1167

(C) A record prepared by, submitted to, or kept by a 1168
public office that is an infrastructure record of a private 1169
entity, which is submitted to the public office for use by the 1170
public office, when accompanied by an express statement, is 1171
exempt from release or disclosure under section 149.43 of the 1172
Revised Code for a period of twenty-five years after its 1173
creation if it is retained by the public office for that length 1174
of time. 1175

(D) Notwithstanding any other section of the Revised Code, 1176
disclosure by a public office, public employee, chartered 1177
nonpublic school, or chartered nonpublic school employee of a 1178
security record or infrastructure record that is necessary for 1179
construction, renovation, or remodeling work on any public 1180
building or project or chartered nonpublic school does not 1181
constitute public disclosure for purposes of waiving division 1182
(B) of this section and does not result in that record becoming 1183
a public record for purposes of section 149.43 of the Revised 1184
Code. 1185

Sec. 2923.122. (A) No person shall knowingly convey, or 1186
attempt to convey, a deadly weapon or dangerous ordnance into a 1187
school safety zone. 1188

(B) No person shall knowingly possess a deadly weapon or 1189
dangerous ordnance in a school safety zone. 1190

(C) No person shall knowingly possess an object in a 1191
school safety zone if both of the following apply: 1192

(1) The object is indistinguishable from a firearm, 1193

whether or not the object is capable of being fired. 1194

(2) The person indicates that the person possesses the 1195
object and that it is a firearm, or the person knowingly 1196
displays or brandishes the object and indicates that it is a 1197
firearm. 1198

(D) (1) This section does not apply to any of the 1199
following: 1200

(a) An officer, agent, or employee of this or any other 1201
state or the United States who is authorized to carry deadly 1202
weapons or dangerous ordnance and is acting within the scope of 1203
the officer's, agent's, or employee's duties, ~~a~~; 1204

(b) A law enforcement officer who is authorized to carry 1205
deadly weapons or dangerous ordnance, ~~a~~; 1206

(c) A security officer employed by a board of education or 1207
governing body of a school during the time that the security 1208
officer is on duty pursuant to that contract of employment, ~~or~~
~~any other~~; 1209
1210

(d) Any person not described in divisions (D) (1) (a) to (c) 1211
of this section who has written authorization from the board of 1212
education or governing body of a school to convey deadly weapons 1213
or dangerous ordnance into a school safety zone or to possess a 1214
deadly weapon or dangerous ordnance in a school safety zone and 1215
who conveys or possesses the deadly weapon or dangerous ordnance 1216
in accordance with that authorization, provided both of the 1217
following apply: 1218

(i) Either the person has successfully completed the 1219
curriculum, instruction, and training established under section 1220
5502.703 of the Revised Code, or the person has received a 1221
certificate of having satisfactorily completed an approved basic 1222

peace officer training program or is a law enforcement officer; 1223

~~(b)~~ (ii) The board or governing body has notified the 1224
public, by whatever means the affected school regularly 1225
communicates with the public, that the board or governing body 1226
has authorized one or more persons to go armed within a school 1227
operated by the board or governing authority. 1228

A district board or school governing body that authorizes 1229
a person under division (D) (1) (d) of this section shall require 1230
that person to submit to an annual criminal records check 1231
conducted in the same manner as section 3319.39 or 3319.391 of 1232
the Revised Code. 1233

(e) Any person who is employed in this state, who is 1234
authorized to carry deadly weapons or dangerous ordnance, and 1235
who is subject to and in compliance with the requirements of 1236
section 109.801 of the Revised Code, unless the appointing 1237
authority of the person has expressly specified that the 1238
exemption provided in division ~~(D) (1) (b)~~ (D) (1) (e) of this 1239
section does not apply to the person. 1240

(2) Division (C) of this section does not apply to 1241
premises upon which home schooling is conducted. Division (C) of 1242
this section also does not apply to a school administrator, 1243
teacher, or employee who possesses an object that is 1244
indistinguishable from a firearm for legitimate school purposes 1245
during the course of employment, a student who uses an object 1246
that is indistinguishable from a firearm under the direction of 1247
a school administrator, teacher, or employee, or any other 1248
person who with the express prior approval of a school 1249
administrator possesses an object that is indistinguishable from 1250
a firearm for a legitimate purpose, including the use of the 1251
object in a ceremonial activity, a play, reenactment, or other 1252

dramatic presentation, school safety training, or a ROTC 1253
activity or another similar use of the object. 1254

(3) This section does not apply to a person who conveys or 1255
attempts to convey a handgun into, or possesses a handgun in, a 1256
school safety zone if, at the time of that conveyance, attempted 1257
conveyance, or possession of the handgun, all of the following 1258
apply: 1259

(a) The person does not enter into a school building or 1260
onto school premises and is not at a school activity. 1261

(b) The person has been issued a concealed handgun license 1262
that is valid at the time of the conveyance, attempted 1263
conveyance, or possession or the person is an active duty member 1264
of the armed forces of the United States and is carrying a valid 1265
military identification card and documentation of successful 1266
completion of firearms training that meets or exceeds the 1267
training requirements described in division (G)(1) of section 1268
2923.125 of the Revised Code. 1269

(c) The person is in the school safety zone in accordance 1270
with 18 U.S.C. 922(q)(2)(B). 1271

(d) The person is not knowingly in a place described in 1272
division (B)(1) or (B)(3) to (8) of section 2923.126 of the 1273
Revised Code. 1274

(4) This section does not apply to a person who conveys or 1275
attempts to convey a handgun into, or possesses a handgun in, a 1276
school safety zone if at the time of that conveyance, attempted 1277
conveyance, or possession of the handgun all of the following 1278
apply: 1279

(a) The person has been issued a concealed handgun license 1280
that is valid at the time of the conveyance, attempted 1281

conveyance, or possession or the person is an active duty member 1282
of the armed forces of the United States and is carrying a valid 1283
military identification card and documentation of successful 1284
completion of firearms training that meets or exceeds the 1285
training requirements described in division (G)(1) of section 1286
2923.125 of the Revised Code. 1287

(b) The person leaves the handgun in a motor vehicle. 1288

(c) The handgun does not leave the motor vehicle. 1289

(d) If the person exits the motor vehicle, the person 1290
locks the motor vehicle. 1291

(E)(1) Whoever violates division (A) or (B) of this 1292
section is guilty of illegal conveyance or possession of a 1293
deadly weapon or dangerous ordnance in a school safety zone. 1294
Except as otherwise provided in this division, illegal 1295
conveyance or possession of a deadly weapon or dangerous 1296
ordnance in a school safety zone is a felony of the fifth 1297
degree. If the offender previously has been convicted of a 1298
violation of this section, illegal conveyance or possession of a 1299
deadly weapon or dangerous ordnance in a school safety zone is a 1300
felony of the fourth degree. 1301

(2) Whoever violates division (C) of this section is 1302
guilty of illegal possession of an object indistinguishable from 1303
a firearm in a school safety zone. Except as otherwise provided 1304
in this division, illegal possession of an object 1305
indistinguishable from a firearm in a school safety zone is a 1306
misdemeanor of the first degree. If the offender previously has 1307
been convicted of a violation of this section, illegal 1308
possession of an object indistinguishable from a firearm in a 1309
school safety zone is a felony of the fifth degree. 1310

(F) (1) In addition to any other penalty imposed upon a 1311
person who is convicted of or pleads guilty to a violation of 1312
this section and subject to division (F) (2) of this section, if 1313
the offender has not attained nineteen years of age, regardless 1314
of whether the offender is attending or is enrolled in a school 1315
operated by a board of education or for which the state board of 1316
education prescribes minimum standards under section 3301.07 of 1317
the Revised Code, the court shall impose upon the offender a 1318
class four suspension of the offender's probationary driver's 1319
license, restricted license, driver's license, commercial 1320
driver's license, temporary instruction permit, or probationary 1321
commercial driver's license that then is in effect from the 1322
range specified in division (A) (4) of section 4510.02 of the 1323
Revised Code and shall deny the offender the issuance of any 1324
permit or license of that type during the period of the 1325
suspension. 1326

If the offender is not a resident of this state, the court 1327
shall impose a class four suspension of the nonresident 1328
operating privilege of the offender from the range specified in 1329
division (A) (4) of section 4510.02 of the Revised Code. 1330

(2) If the offender shows good cause why the court should 1331
not suspend one of the types of licenses, permits, or privileges 1332
specified in division (F) (1) of this section or deny the 1333
issuance of one of the temporary instruction permits specified 1334
in that division, the court in its discretion may choose not to 1335
impose the suspension, revocation, or denial required in that 1336
division, but the court, in its discretion, instead may require 1337
the offender to perform community service for a number of hours 1338
determined by the court. 1339

(G) As used in this section, "object that is 1340

indistinguishable from a firearm" means an object made, 1341
constructed, or altered so that, to a reasonable person without 1342
specialized training in firearms, the object appears to be a 1343
firearm. 1344

Sec. 3314.03. A copy of every contract entered into under 1345
this section shall be filed with the superintendent of public 1346
instruction. The department of education shall make available on 1347
its web site a copy of every approved, executed contract filed 1348
with the superintendent under this section. 1349

(A) Each contract entered into between a sponsor and the 1350
governing authority of a community school shall specify the 1351
following: 1352

(1) That the school shall be established as either of the 1353
following: 1354

(a) A nonprofit corporation established under Chapter 1355
1702. of the Revised Code, if established prior to April 8, 1356
2003; 1357

(b) A public benefit corporation established under Chapter 1358
1702. of the Revised Code, if established after April 8, 2003. 1359

(2) The education program of the school, including the 1360
school's mission, the characteristics of the students the school 1361
is expected to attract, the ages and grades of students, and the 1362
focus of the curriculum; 1363

(3) The academic goals to be achieved and the method of 1364
measurement that will be used to determine progress toward those 1365
goals, which shall include the statewide achievement 1366
assessments; 1367

(4) Performance standards, including but not limited to 1368

all applicable report card measures set forth in section 3302.03 1369
or 3314.017 of the Revised Code, by which the success of the 1370
school will be evaluated by the sponsor; 1371

(5) The admission standards of section 3314.06 of the 1372
Revised Code and, if applicable, section 3314.061 of the Revised 1373
Code; 1374

(6) (a) Dismissal procedures; 1375

(b) A requirement that the governing authority adopt an 1376
attendance policy that includes a procedure for automatically 1377
withdrawing a student from the school if the student without a 1378
legitimate excuse fails to participate in seventy-two 1379
consecutive hours of the learning opportunities offered to the 1380
student. 1381

(7) The ways by which the school will achieve racial and 1382
ethnic balance reflective of the community it serves; 1383

(8) Requirements for financial audits by the auditor of 1384
state. The contract shall require financial records of the 1385
school to be maintained in the same manner as are financial 1386
records of school districts, pursuant to rules of the auditor of 1387
state. Audits shall be conducted in accordance with section 1388
117.10 of the Revised Code. 1389

(9) An addendum to the contract outlining the facilities 1390
to be used that contains at least the following information: 1391

(a) A detailed description of each facility used for 1392
instructional purposes; 1393

(b) The annual costs associated with leasing each facility 1394
that are paid by or on behalf of the school; 1395

(c) The annual mortgage principal and interest payments 1396

that are paid by the school; 1397

(d) The name of the lender or landlord, identified as 1398
such, and the lender's or landlord's relationship to the 1399
operator, if any. 1400

(10) Qualifications of teachers, including a requirement 1401
that the school's classroom teachers be licensed in accordance 1402
with sections 3319.22 to 3319.31 of the Revised Code, except 1403
that a community school may engage noncertificated persons to 1404
teach up to twelve hours or forty hours per week pursuant to 1405
section 3319.301 of the Revised Code. 1406

(11) That the school will comply with the following 1407
requirements: 1408

(a) The school will provide learning opportunities to a 1409
minimum of twenty-five students for a minimum of nine hundred 1410
twenty hours per school year. 1411

(b) The governing authority will purchase liability 1412
insurance, or otherwise provide for the potential liability of 1413
the school. 1414

(c) The school will be nonsectarian in its programs, 1415
admission policies, employment practices, and all other 1416
operations, and will not be operated by a sectarian school or 1417
religious institution. 1418

(d) The school will comply with sections 9.90, 9.91, 1419
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1420
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 1421
3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 1422
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1423
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411, 1424
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 1425

3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 1426
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 1427
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 1428
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 1429
3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 3319.393, 1430
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 1431
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3323.251, 1432
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 1433
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 1434
and 4167. of the Revised Code as if it were a school district 1435
and will comply with section 3301.0714 of the Revised Code in 1436
the manner specified in section 3314.17 of the Revised Code. 1437

(e) The school shall comply with Chapter 102. and section 1438
2921.42 of the Revised Code. 1439

(f) The school will comply with sections 3313.61, 1440
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1441
Revised Code, except that for students who enter ninth grade for 1442
the first time before July 1, 2010, the requirement in sections 1443
3313.61 and 3313.611 of the Revised Code that a person must 1444
successfully complete the curriculum in any high school prior to 1445
receiving a high school diploma may be met by completing the 1446
curriculum adopted by the governing authority of the community 1447
school rather than the curriculum specified in Title XXXIII of 1448
the Revised Code or any rules of the state board of education. 1449
Beginning with students who enter ninth grade for the first time 1450
on or after July 1, 2010, the requirement in sections 3313.61 1451
and 3313.611 of the Revised Code that a person must successfully 1452
complete the curriculum of a high school prior to receiving a 1453
high school diploma shall be met by completing the requirements 1454
prescribed in section 3313.6027 and division (C) of section 1455
3313.603 of the Revised Code, unless the person qualifies under 1456

division (D) or (F) of that section. Each school shall comply 1457
with the plan for awarding high school credit based on 1458
demonstration of subject area competency, and beginning with the 1459
2017-2018 school year, with the updated plan that permits 1460
students enrolled in seventh and eighth grade to meet curriculum 1461
requirements based on subject area competency adopted by the 1462
state board of education under divisions (J) (1) and (2) of 1463
section 3313.603 of the Revised Code. Beginning with the 2018- 1464
2019 school year, the school shall comply with the framework for 1465
granting units of high school credit to students who demonstrate 1466
subject area competency through work-based learning experiences, 1467
internships, or cooperative education developed by the 1468
department under division (J) (3) of section 3313.603 of the 1469
Revised Code. 1470

(g) The school governing authority will submit within four 1471
months after the end of each school year a report of its 1472
activities and progress in meeting the goals and standards of 1473
divisions (A) (3) and (4) of this section and its financial 1474
status to the sponsor and the parents of all students enrolled 1475
in the school. 1476

(h) The school, unless it is an internet- or computer- 1477
based community school, will comply with section 3313.801 of the 1478
Revised Code as if it were a school district. 1479

(i) If the school is the recipient of moneys from a grant 1480
awarded under the federal race to the top program, Division (A), 1481
Title XIV, Sections 14005 and 14006 of the "American Recovery 1482
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1483
the school will pay teachers based upon performance in 1484
accordance with section 3317.141 and will comply with section 1485
3319.111 of the Revised Code as if it were a school district. 1486

(j) If the school operates a preschool program that is 1487
licensed by the department of education under sections 3301.52 1488
to 3301.59 of the Revised Code, the school shall comply with 1489
sections 3301.50 to 3301.59 of the Revised Code and the minimum 1490
standards for preschool programs prescribed in rules adopted by 1491
the state board under section 3301.53 of the Revised Code. 1492

(k) The school will comply with sections 3313.6021 and 1493
3313.6023 of the Revised Code as if it were a school district 1494
unless it is either of the following: 1495

(i) An internet- or computer-based community school; 1496

(ii) A community school in which a majority of the 1497
enrolled students are children with disabilities as described in 1498
division (A) (4) (b) of section 3314.35 of the Revised Code. 1499

(l) The school will comply with section 3321.191 of the 1500
Revised Code, unless it is an internet- or computer-based 1501
community school that is subject to section 3314.261 of the 1502
Revised Code. 1503

(12) Arrangements for providing health and other benefits 1504
to employees; 1505

(13) The length of the contract, which shall begin at the 1506
beginning of an academic year. No contract shall exceed five 1507
years unless such contract has been renewed pursuant to division 1508
(E) of this section. 1509

(14) The governing authority of the school, which shall be 1510
responsible for carrying out the provisions of the contract; 1511

(15) A financial plan detailing an estimated school budget 1512
for each year of the period of the contract and specifying the 1513
total estimated per pupil expenditure amount for each such year. 1514

(16) Requirements and procedures regarding the disposition 1515
of employees of the school in the event the contract is 1516
terminated or not renewed pursuant to section 3314.07 of the 1517
Revised Code; 1518

(17) Whether the school is to be created by converting all 1519
or part of an existing public school or educational service 1520
center building or is to be a new start-up school, and if it is 1521
a converted public school or service center building, 1522
specification of any duties or responsibilities of an employer 1523
that the board of education or service center governing board 1524
that operated the school or building before conversion is 1525
delegating to the governing authority of the community school 1526
with respect to all or any specified group of employees provided 1527
the delegation is not prohibited by a collective bargaining 1528
agreement applicable to such employees; 1529

(18) Provisions establishing procedures for resolving 1530
disputes or differences of opinion between the sponsor and the 1531
governing authority of the community school; 1532

(19) A provision requiring the governing authority to 1533
adopt a policy regarding the admission of students who reside 1534
outside the district in which the school is located. That policy 1535
shall comply with the admissions procedures specified in 1536
sections 3314.06 and 3314.061 of the Revised Code and, at the 1537
sole discretion of the authority, shall do one of the following: 1538

(a) Prohibit the enrollment of students who reside outside 1539
the district in which the school is located; 1540

(b) Permit the enrollment of students who reside in 1541
districts adjacent to the district in which the school is 1542
located; 1543

(c) Permit the enrollment of students who reside in any other district in the state. 1544
1545

(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code; 1546
1547
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(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; 1550
1551
1552

(22) A provision recognizing both of the following: 1553

(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; 1554
1555
1556
1557

(b) The authority of the department of education 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. 1558
1559
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(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; 1565
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(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to 1571
1572

be taken by a school district pursuant to those sections shall 1573
be taken by the sponsor of the school. However, the sponsor 1574
shall not be required to take any action described in division 1575
(F) of section 3302.04 of the Revised Code. 1576

(25) Beginning in the 2006-2007 school year, the school 1577
will open for operation not later than the thirtieth day of 1578
September each school year, unless the mission of the school as 1579
specified under division (A) (2) of this section is solely to 1580
serve dropouts. In its initial year of operation, if the school 1581
fails to open by the thirtieth day of September, or within one 1582
year after the adoption of the contract pursuant to division (D) 1583
of section 3314.02 of the Revised Code if the mission of the 1584
school is solely to serve dropouts, the contract shall be void. 1585

(26) Whether the school's governing authority is planning 1586
to seek designation for the school as a STEM school equivalent 1587
under section 3326.032 of the Revised Code; 1588

(27) That the school's attendance and participation 1589
policies will be available for public inspection; 1590

(28) That the school's attendance and participation 1591
records shall be made available to the department of education, 1592
auditor of state, and school's sponsor to the extent permitted 1593
under and in accordance with the "Family Educational Rights and 1594
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 1595
and any regulations promulgated under that act, and section 1596
3319.321 of the Revised Code; 1597

(29) If a school operates using the blended learning 1598
model, as defined in section 3301.079 of the Revised Code, all 1599
of the following information: 1600

(a) An indication of what blended learning model or models 1601

will be used;	1602
(b) A description of how student instructional needs will be determined and documented;	1603 1604
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	1605 1606
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	1607 1608 1609
(e) A statement describing how student progress will be monitored;	1610 1611
(f) A statement describing how private student data will be protected;	1612 1613
(g) A description of the professional development activities that will be offered to teachers.	1614 1615
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	1616 1617 1618 1619
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	1620 1621 1622 1623 1624
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	1625 1626 1627 1628 1629

(33) A provision requiring the governing authority to 1630
adopt a student residence and address verification policy for 1631
students enrolling in or attending the school. 1632

(B) The community school shall also submit to the sponsor 1633
a comprehensive plan for the school. The plan shall specify the 1634
following: 1635

(1) The process by which the governing authority of the 1636
school will be selected in the future; 1637

(2) The management and administration of the school; 1638

(3) If the community school is a currently existing public 1639
school or educational service center building, alternative 1640
arrangements for current public school students who choose not 1641
to attend the converted school and for teachers who choose not 1642
to teach in the school or building after conversion; 1643

(4) The instructional program and educational philosophy 1644
of the school; 1645

(5) Internal financial controls. 1646

When submitting the plan under this division, the school 1647
shall also submit copies of all policies and procedures 1648
regarding internal financial controls adopted by the governing 1649
authority of the school. 1650

(C) A contract entered into under section 3314.02 of the 1651
Revised Code between a sponsor and the governing authority of a 1652
community school may provide for the community school governing 1653
authority to make payments to the sponsor, which is hereby 1654
authorized to receive such payments as set forth in the contract 1655
between the governing authority and the sponsor. The total 1656
amount of such payments for monitoring, oversight, and technical 1657

assistance of the school shall not exceed three per cent of the 1658
total amount of payments for operating expenses that the school 1659
receives from the state. 1660

(D) The contract shall specify the duties of the sponsor 1661
which shall be in accordance with the written agreement entered 1662
into with the department of education under division (B) of 1663
section 3314.015 of the Revised Code and shall include the 1664
following: 1665

(1) Monitor the community school's compliance with all 1666
laws applicable to the school and with the terms of the 1667
contract; 1668

(2) Monitor and evaluate the academic and fiscal 1669
performance and the organization and operation of the community 1670
school on at least an annual basis; 1671

(3) Report on an annual basis the results of the 1672
evaluation conducted under division (D) (2) of this section to 1673
the department of education and to the parents of students 1674
enrolled in the community school; 1675

(4) Provide technical assistance to the community school 1676
in complying with laws applicable to the school and terms of the 1677
contract; 1678

(5) Take steps to intervene in the school's operation to 1679
correct problems in the school's overall performance, declare 1680
the school to be on probationary status pursuant to section 1681
3314.073 of the Revised Code, suspend the operation of the 1682
school pursuant to section 3314.072 of the Revised Code, or 1683
terminate the contract of the school pursuant to section 3314.07 1684
of the Revised Code as determined necessary by the sponsor; 1685

(6) Have in place a plan of action to be undertaken in the 1686

event the community school experiences financial difficulties or 1687
closes prior to the end of a school year. 1688

(E) Upon the expiration of a contract entered into under 1689
this section, the sponsor of a community school may, with the 1690
approval of the governing authority of the school, renew that 1691
contract for a period of time determined by the sponsor, but not 1692
ending earlier than the end of any school year, if the sponsor 1693
finds that the school's compliance with applicable laws and 1694
terms of the contract and the school's progress in meeting the 1695
academic goals prescribed in the contract have been 1696
satisfactory. Any contract that is renewed under this division 1697
remains subject to the provisions of sections 3314.07, 3314.072, 1698
and 3314.073 of the Revised Code. 1699

(F) If a community school fails to open for operation 1700
within one year after the contract entered into under this 1701
section is adopted pursuant to division (D) of section 3314.02 1702
of the Revised Code or permanently closes prior to the 1703
expiration of the contract, the contract shall be void and the 1704
school shall not enter into a contract with any other sponsor. A 1705
school shall not be considered permanently closed because the 1706
operations of the school have been suspended pursuant to section 1707
3314.072 of the Revised Code. 1708

Sec. 3326.11. Each science, technology, engineering, and 1709
mathematics school established under this chapter and its 1710
governing body shall comply with sections 9.90, 9.91, 109.65, 1711
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1712
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 1713
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 1714
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.608, 1715
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1716

3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.61, 3313.611, 1717
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 1718
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 1719
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 1720
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 1721
3313.719, 3313.7112, 3313.721, 3313.80, 3313.801, 3313.814, 1722
3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 1723
3319.073, 3319.077, 3319.078, 3319.21, 3319.238, 3319.318, 1724
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.393, 1725
3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 1726
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 1727
3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 1728
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 1729
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 1730
4167. of the Revised Code as if it were a school district. 1731

Sec. 5502.01. (A) The department of public safety shall 1732
administer and enforce the laws relating to the registration, 1733
licensing, sale, and operation of motor vehicles and the laws 1734
pertaining to the licensing of drivers of motor vehicles. 1735

The department shall compile, analyze, and publish 1736
statistics relative to motor vehicle accidents and the causes of 1737
them, prepare and conduct educational programs for the purpose 1738
of promoting safety in the operation of motor vehicles on the 1739
highways, and conduct research and studies for the purpose of 1740
promoting safety on the highways of this state. 1741

(B) The department shall administer the laws and rules 1742
relative to trauma and emergency medical services specified in 1743
Chapter 4765. of the Revised Code and any laws and rules 1744
relative to medical transportation services specified in Chapter 1745
4766. of the Revised Code. 1746

(C) The department shall administer and enforce the laws 1747
contained in Chapters 4301. and 4303. of the Revised Code and 1748
enforce the rules and orders of the liquor control commission 1749
pertaining to retail liquor permit holders. 1750

(D) The department shall administer the laws governing the 1751
state emergency management agency and shall enforce all 1752
additional duties and responsibilities as prescribed in the 1753
Revised Code related to emergency management services. 1754

(E) The department shall conduct investigations pursuant 1755
to Chapter 5101. of the Revised Code in support of the duty of 1756
the department of job and family services to administer the 1757
supplemental nutrition assistance program throughout this state. 1758
The department of public safety shall conduct investigations 1759
necessary to protect the state's property rights and interests 1760
in the supplemental nutrition assistance program. 1761

(F) The department of public safety shall enforce 1762
compliance with orders and rules of the public utilities 1763
commission and applicable laws in accordance with Chapters 1764
4905., 4921., and 4923. of the Revised Code regarding commercial 1765
motor vehicle transportation safety, economic, and hazardous 1766
materials requirements. 1767

(G) Notwithstanding Chapter 4117. of the Revised Code, the 1768
department of public safety may establish requirements for its 1769
enforcement personnel, including its enforcement agents 1770
described in section 5502.14 of the Revised Code, that include 1771
standards of conduct, work rules and procedures, and criteria 1772
for eligibility as law enforcement personnel. 1773

(H) The department shall administer, maintain, and operate 1774
the Ohio criminal justice network. The Ohio criminal justice 1775

network shall be a computer network that supports state and 1776
local criminal justice activities. The network shall be an 1777
electronic repository for various data, which may include arrest 1778
warrants, notices of persons wanted by law enforcement agencies, 1779
criminal records, prison inmate records, stolen vehicle records, 1780
vehicle operator's licenses, and vehicle registrations and 1781
titles. 1782

(I) The department shall coordinate all homeland security 1783
activities of all state agencies and shall be a liaison between 1784
state agencies and local entities for those activities and 1785
related purposes. 1786

(J) ~~Beginning July 1, 2004, the~~ The department shall 1787
administer and enforce the laws relative to private 1788
investigators and security service providers specified in 1789
Chapter 4749. of the Revised Code. 1790

(K) The department shall administer criminal justice 1791
services in accordance with sections 5502.61 to 5502.66 of the 1792
Revised Code. 1793

(L) The department shall administer the Ohio school safety 1794
and crisis center and the Ohio mobile training team in 1795
accordance with sections 5502.70 to 5502.703 of the Revised 1796
Code. 1797

(M) The department shall coordinate security measures and 1798
operations, and may direct the department of administrative 1799
services to implement any security measures and operations the 1800
department of public safety requires, at the Vern Riffe Center 1801
and the James A. Rhodes state office tower. 1802

Notwithstanding section 125.28 of the Revised Code, the 1803
director of public safety may recover the costs of directing 1804

security measures and operations under this division by either 1805
issuing intrastate transfer voucher billings to the department 1806
of administrative services, which the department shall process 1807
to pay for the costs, or, upon the request of the director of 1808
administrative services, the director of budget and management 1809
may transfer cash in the requested amount from the building 1810
management fund created under section 125.28 of the Revised 1811
Code. Payments received or cash transfers made under this 1812
division for the costs of directing security measures and 1813
operations shall be deposited into the state treasury to the 1814
credit of the security, investigations, and policing fund 1815
created under section 4501.11 of the Revised Code. 1816

Sec. 5502.262. (A) As used in this section: 1817

(1) "Administrator" means the superintendent, principal, 1818
chief administrative officer, or other person having supervisory 1819
authority of any of the following: 1820

(a) A city, exempted village, local, or joint vocational 1821
school district; 1822

(b) A community school established under Chapter 3314. of 1823
the Revised Code, as required through reference in division (A) 1824
(11)(d) of section 3314.03 of the Revised Code; 1825

(c) A STEM school established under Chapter 3326. of the 1826
Revised Code, as required through reference in section 3326.11 1827
of the Revised Code; 1828

(d) A college-preparatory boarding school established 1829
under Chapter 3328. of the Revised Code; 1830

(e) A district or school operating a career-technical 1831
education program approved by the department of education under 1832
section 3317.161 of the Revised Code; 1833

- (f) A chartered nonpublic school; 1834
- (g) An educational service center; 1835
- (h) A preschool program or school-age child care program
licensed by the department of education; 1836
1837
- (i) Any other facility that primarily provides educational
services to children subject to regulation by the department of
education. 1838
1839
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- (2) "Emergency management test" means a regularly
scheduled drill, exercise, or activity designed to assess and
evaluate an emergency management plan under this section. 1841
1842
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- (3) "Building" means any school, school building,
facility, program, or center. 1844
1845
- (4) "Regional mobile training officer" means the regional
mobile training officer appointed under section 5502.70 of the
Revised Code for the region in which a district, school, center,
program, or facility is located. 1846
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1849
- (B) (1) Each administrator shall develop and adopt a
comprehensive emergency management plan, in accordance with
rules adopted pursuant to division (F) of this section, for each
building under the administrator's control. The administrator
shall examine the environmental conditions and operations of
each building to determine potential hazards to student and
staff safety and shall propose operating changes to promote the
prevention of potentially dangerous problems and circumstances.
In developing the plan for each building, the administrator
shall involve community law enforcement and safety officials,
parents of students who are assigned to the building, and
teachers and nonteaching employees who are assigned to the
building. The administrator may involve the regional mobile 1850
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training officer in the development of the plan. The 1863
administrator shall incorporate remediation strategies into the 1864
plan for any building where documented safety problems have 1865
occurred. 1866

(2) Each administrator shall also incorporate into the 1867
emergency management plan adopted under division (B)(1) of this 1868
section all of the following: 1869

(a) A protocol for addressing serious threats to the 1870
safety of property, students, employees, or administrators; 1871

(b) A protocol for responding to any emergency events that 1872
occur and compromise the safety of property, students, 1873
employees, or administrators. This protocol shall include, but 1874
not be limited to, all of the following: 1875

(i) A floor plan that is unique to each floor of the 1876
building; 1877

(ii) A site plan that includes all building property and 1878
surrounding property; 1879

(iii) An emergency contact information sheet. 1880

(c) A threat assessment plan developed as prescribed in 1881
section 5502.263 of the Revised Code. A building may use the 1882
model plan developed by the department of public safety under 1883
that section; 1884

(d) A protocol for school threat assessment teams 1885
established under section 3313.669 of the Revised Code. 1886

(3) Each protocol described in division (B) of this 1887
section shall include procedures determined to be appropriate by 1888
the administrator for responding to threats and emergency 1889
events, respectively, including such things as notification of 1890

appropriate law enforcement personnel, calling upon specified 1891
emergency response personnel for assistance, and informing 1892
parents of affected students. 1893

Prior to the opening day of each school year, the 1894
administrator shall inform each student or child enrolled in the 1895
school and the student's or child's parent of the parental 1896
notification procedures included in the protocol. 1897

(4) Each administrator shall keep a copy of the emergency 1898
management plan adopted pursuant to this section in a secure 1899
place. 1900

(C) (1) The administrator shall submit to the director of 1901
public safety, in accordance with rules adopted pursuant to 1902
division (F) of this section, an electronic copy of the 1903
emergency management plan prescribed by division (B) of this 1904
section not less than once every three years, whenever a major 1905
modification to the building requires changes in the procedures 1906
outlined in the plan, and whenever information on the emergency 1907
contact information sheet changes. 1908

(2) The administrator also shall file a copy of the plan 1909
with each law enforcement agency that has jurisdiction over the 1910
school building and, upon request, to any of the following: 1911

(a) The fire department that serves the political 1912
subdivision in which the building is located; 1913

(b) The emergency medical service organization that serves 1914
the political subdivision in which the building is located; 1915

(c) The county emergency management agency for the county 1916
in which the building is located; 1917

(d) The regional mobile training officer. 1918

(3) Upon receipt of an emergency management plan, the 1919
director shall post the information on the contact and 1920
information management system and submit the information in 1921
accordance with rules adopted pursuant to division (F) of this 1922
section, to the attorney general, who shall post that 1923
information on the Ohio law enforcement gateway or its 1924
successor. 1925

(4) Any department or entity to which copies of an 1926
emergency management plan are filed under this section shall 1927
keep the copies in a secure place. 1928

(D) (1) Not later than the first day of July of each year, 1929
each administrator shall review the emergency management plan 1930
and certify to the director that the plan is current and 1931
accurate. 1932

(2) Anytime that an administrator updates the emergency 1933
management plan pursuant to division (C) (1) of this section, the 1934
administrator shall file copies, not later than the tenth day 1935
after the revision is adopted and in accordance with rules 1936
adopted pursuant to division (F) of this section, to the 1937
director and to any entity with which the administrator filed a 1938
copy under division (C) (2) of this section. 1939

(E) Each administrator shall do both of the following: 1940

(1) Prepare and conduct at least one annual emergency 1941
management test, as defined in division (A) (2) of this section, 1942
in accordance with rules adopted pursuant to division (F) of 1943
this section; 1944

(2) Grant access to each building under the control of the 1945
administrator to law enforcement personnel and to entities 1946
described in division (C) (2) of this section, to enable the 1947

personnel and entities to hold training sessions for responding 1948
to threats and emergency events affecting the building, provided 1949
that the access occurs outside of student instructional hours 1950
and the administrator, or the administrator's designee, is 1951
present in the building during the training sessions. 1952

(F) The director of public safety, in consultation with 1953
representatives from the education community and in accordance 1954
with Chapter 119. of the Revised Code, shall adopt rules 1955
regarding emergency management plans under this section, 1956
including the content of the plans and procedures for filing the 1957
plans. The rules shall specify that plans and information 1958
required under division (B) of this section be submitted on 1959
standardized forms developed by the director for such purpose. 1960
The rules shall also specify the requirements and procedures for 1961
emergency management tests conducted pursuant to division (E) (1) 1962
of this section. Failure to comply with the rules may result in 1963
discipline pursuant to section 3319.31 of the Revised Code or 1964
any other action against the administrator as prescribed by 1965
rule. 1966

(G) Division (B) of section 3319.31 of the Revised Code 1967
applies to any administrator who is subject to the requirements 1968
of this section and is not exempt under division (H) of this 1969
section and who is an applicant for a license or holds a license 1970
from the state board of education pursuant to section 3319.22 of 1971
the Revised Code. 1972

(H) (1) The director may exempt any administrator from the 1973
requirements of this section, if the director determines that 1974
the requirements do not otherwise apply to a building or 1975
buildings under the control of that administrator. 1976

(2) The director shall exempt from the requirements of 1977

this section the administrator of an online learning school, 1978
established under section 3302.42 of the Revised Code, unless 1979
students of that school participate in in-person instruction or 1980
assessments at a location that is not covered by an existing 1981
emergency management plan, developed under this section as of- 1982
~~the effective date of this amendment~~ December 14, 2021. 1983

(I) Copies of the emergency management plan and 1984
information required under division (B) of this section are 1985
security records and are not public records pursuant to section 1986
149.433 of the Revised Code. In addition, the information posted 1987
to the contact and information management system, pursuant to 1988
division (C) (3) (b) of this section, is exempt from public 1989
disclosure or release in accordance with sections 149.43, 1990
149.433, and 5502.03 of the Revised Code. 1991

Notwithstanding section 149.433 of the Revised Code, a 1992
floor plan filed with the attorney general pursuant to this 1993
section is not a public record to the extent it is a record kept 1994
by the attorney general. 1995

Sec. 5502.70. (A) There is hereby created in the 1996
department of public safety the Ohio mobile training team, which 1997
shall be administered by a chief mobile training officer. The 1998
team shall provide services to public and nonpublic schools 1999
regarding school safety and security. 2000

(B) Not later than ninety days after the effective date of 2001
this section, the director of public safety shall appoint an 2002
individual who satisfies the criteria specified in division (B) 2003
of section 5502.701 of the Revised Code as the chief mobile 2004
training officer, who shall serve at the pleasure of the 2005
director. To carry out the duties prescribed by this section or 2006
sections 5502.702 and 5502.703 of the Revised Code, the chief 2007

mobile training officer may hire and maintain necessary staff 2008
and may enter into any necessary agreements. 2009

(C) Not later than ninety days after the appointment of 2010
the chief mobile training officer, the director of public safety 2011
shall appoint sixteen regional mobile training officers, each of 2012
whom shall satisfy the criteria specified in division (B) of 2013
section 5502.701 of the Revised Code, to conduct the duties 2014
described in sections 5502.702 and 5502.703 of the Revised Code. 2015

The regions shall be the same as those described in 2016
division (A) of section 3312.02 of the Revised Code. To carry 2017
out the duties prescribed by sections 5502.702 and 5502.703 of 2018
the Revised Code, a regional mobile training officer may hire 2019
and maintain necessary staff and may enter into any necessary 2020
agreements. 2021

(D) Except as otherwise provided by law, nothing in this 2022
section or in sections 5502.702 and 5502.703 of the Revised Code 2023
shall be construed to give the director of public safety, the 2024
chief mobile training officer, or a regional mobile training 2025
officer authority over the incident management structure or 2026
responsibilities of local emergency response personnel. 2027

(E) The department of public safety, in accordance with 2028
Chapter 119. of the Revised Code, shall adopt rules with respect 2029
to the Ohio mobile training team. The rules shall be made 2030
available for public inspection at the department of public 2031
safety and at other places and during reasonable hours as fixed 2032
by the chief mobile training officer of the Ohio mobile training 2033
team. 2034

Sec. 5502.701. (A) As used in this section, "veteran" 2035
means any person who has completed service in the armed forces 2036

of the United States and who has been honorably discharged under 2037
honorable conditions from the armed forces, or who has been 2038
transferred to the reserve with evidence of satisfactory 2039
service. 2040

(B) No person is eligible for appointment to the position 2041
of chief mobile training officer or the position of regional 2042
mobile training officer unless that person meets the following 2043
requirements: 2044

(1) The person is a licensed peace officer, as defined in 2045
division (A)(1) of section 109.71 of the Revised Code; or 2046

(2) The person is a veteran, as defined in division (A) of 2047
this section; and 2048

(3) The person has met all additional qualifications 2049
prescribed by rule adopted under section 5502.70 of the Revised 2050
Code. 2051

Sec. 5502.702. (A) As used in this section, 2052
"administrator" has the same meaning as in section 5502.262 of 2053
the Revised Code. 2054

(B) The duties of the chief mobile training officer 2055
include: 2056

(1) Administering the Ohio mobile training team; 2057

(2) Adopting additional qualifications and training 2058
requirements for regional mobile training officers appointed 2059
under section 5502.70 of the Revised Code; 2060

(3) Enforcing rules and executing additional duties 2061
prescribed by the department of public safety. 2062

(C) The duties of a regional mobile training officer 2063

<u>include:</u>	2064
<u>(1) Upon request, assisting an administrator within an officer's region in the development or review of an emergency management plan under section 5502.262 of the Revised Code;</u>	2065 2066 2067
<u>(2) Upon request, assisting an administrator of a public or nonpublic school within an officer's region with any other security protocols for activities or events outside of the building during or after school hours;</u>	2068 2069 2070 2071
<u>(3) Upon request, assisting in strategic communications between federal, state, and local law enforcement or agencies in the event of an emergency situation at a school within an officer's region;</u>	2072 2073 2074 2075
<u>(4) Offering tactical emergency medical services training to public and nonpublic schools within an officer's region;</u>	2076 2077
<u>(5) Promoting the use of the SaferOH tip line within an officer's region;</u>	2078 2079
<u>(6) Enforcing rules and executing additional duties prescribed by either the department of public safety or the chief mobile training officer;</u>	2080 2081 2082
<u>(7) Providing instruction and training through the Ohio school safety and crisis center as prescribed in section 5502.703 of the Revised Code;</u>	2083 2084 2085
<u>(8) Overseeing training operations and offering training opportunities for school employees, including observing emergency management tests as described in section 5502.262 of the Revised Code, providing weapons manipulation instruction, and other appropriate activities.</u>	2086 2087 2088 2089 2090
<u>Sec. 5502.703. (A) The Ohio school safety and crisis</u>	2091

center is hereby created within the department of public safety 2092
and shall be operated by the mobile training team established 2093
under section 5502.70 of the Revised Code. 2094

(B) The mobile training team shall develop curriculum and 2095
provide instruction and training, including firearms training, 2096
that individuals may complete to satisfy the criterion specified 2097
in division (D) (1) (d) (i) of section 2923.122 of the Revised Code 2098
to be permitted to convey deadly weapons or dangerous ordnance 2099
into a school safety zone under division (D) (1) (d) of that 2100
section. Except as otherwise specified in division (D) (1) (d) (i) 2101
of that section, an individual shall successfully complete the 2102
curriculum, instruction, and training so developed as a 2103
requirement to be permitted to convey deadly weapons or 2104
dangerous ordnance into a school safety zone under the authority 2105
of division (D) (1) (d) of that section. 2106

The curriculum, instruction, and training shall follow the 2107
private investigator and security guard firearms training 2108
guidelines adopted under section 4749.06 of the Revised Code and 2109
include both of the following: 2110

(1) Initial instruction and training, which shall not 2111
exceed twenty-four hours; 2112

(2) Annual requalification training, which shall not 2113
exceed eight hours. 2114

Nothing in this section prohibits a school district board 2115
of education or governing body of a school from requiring 2116
additional training for an individual to which this section 2117
applies. 2118

(C) (1) The curriculum of the initial and requalification 2119
instruction and training required under this section shall 2120

<u>include instruction in all of the following:</u>	2121
<u>(a) Mitigation techniques;</u>	2122
<u>(b) Communications capabilities and coordination and collaboration techniques;</u>	2123 2124
<u>(c) Neutralization of potential threats and active shooters;</u>	2125 2126
<u>(d) Accountability;</u>	2127
<u>(e) Reunification;</u>	2128
<u>(f) Psychology of critical incidents;</u>	2129
<u>(g) De-escalation techniques;</u>	2130
<u>(h) Crisis intervention;</u>	2131
<u>(i) Trauma and first aid care;</u>	2132
<u>(j) The history and pattern of school shootings;</u>	2133
<u>(k) Tactics of responding to critical incidents in schools;</u>	2134 2135
<u>(l) At least four hours of training in scenario-based or simulated training exercises;</u>	2136 2137
<u>(m) Completion of tactical live firearms training;</u>	2138
<u>(n) Realistic urban training.</u>	2139
<u>(2) The board or governing body of the school that authorizes an individual to convey deadly weapons or dangerous ordnance into a school safety zone, under division (D)(1)(d) of section 2923.122 of the Revised Code, shall pay all fees for the training described in divisions (B) and (C)(1) of this section that the individual receives.</u>	2140 2141 2142 2143 2144 2145

(3) A school district board of education or governing body 2146
of a school may adopt alternate curriculum, instruction, and 2147
training, provided it includes all of the topics specified in 2148
division (C)(1) of this section. 2149

A district board or governing body shall submit any 2150
alternate curriculum, instruction, and training adopted under 2151
division (C)(3) of this section to the school safety and crisis 2152
center for approval prior to granting authorization to an 2153
individual to convey deadly weapons or dangerous ordnance into a 2154
school safety zone under the control of the district board or 2155
governing authority. The school safety center shall approve any 2156
curriculum, instruction, and training within thirty days after 2157
receipt if the curriculum, instruction, and training comply with 2158
divisions (B) and (C) of this section. 2159

(D) Each school district board of education or governing 2160
body of a school shall provide to the school safety and crisis 2161
center a current list of the qualified personnel authorized to 2162
convey deadly weapons or dangerous ordnance into a school safety 2163
zone under the control of the district board or governing body 2164
who have completed training under this section. 2165

The list is not a public record under section 149.43 of 2166
the Revised Code. 2167

(E) The department of public safety, in accordance with 2168
Chapter 119. of the Revised Code, shall adopt rules to implement 2169
this section. 2170

Section 2. That existing sections 109.78, 149.43, 149.433, 2171
2923.122, 3314.03, 3326.11, 5502.01, and 5502.262 of the Revised 2172
Code are hereby repealed. 2173

Section 3. All items in this act are hereby appropriated 2174

as designated out of any moneys in the state treasury to the 2175
credit of the designated fund. For all operating appropriations 2176
made in this act, those in the first column are for fiscal year 2177
2022 and those in the second column are for fiscal year 2023. 2178
The operating appropriations made in this act are in addition to 2179
any other operating appropriations made for the FY 2022-FY 2023 2180
biennium. 2181

Section 4. 2182

2183

	1	2	3	4	5
A	DPS DEPARTMENT OF PUBLIC SAFETY				
B	General Revenue Fund				
C	GRF 769412 Mobile Training Team			\$6,000,000	\$6,000,000
D	TOTAL GRF General Revenue Fund			\$6,000,000	\$6,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$6,000,000	\$6,000,000

MOBILE TRAINING TEAM 2184

The foregoing appropriation item 769412, Mobile Training 2185
Team, shall be used for the Ohio Mobile Training Team 2186
established in section 5502.70 of the Revised Code. 2187

Section 5. Within the limits set forth in this act, the 2188
Director of Budget and Management shall establish accounts 2189
indicating the source and amount of funds for each appropriation 2190
made in this act, and shall determine the form and manner in 2191
which appropriation accounts shall be maintained. Expenditures 2192

from operating appropriations contained in this act shall be 2193
accounted for as though made in H.B. 110 of the 134th General 2194
Assembly. The operating appropriations made in this act are 2195
subject to all provisions of H.B. 110 of the 134th General 2196
Assembly that are generally applicable to such appropriations. 2197

Section 6. Section 149.43 of the Revised Code is presented 2198
in this act as a composite of the section as amended by H.B. 93, 2199
H.B. 110, and S.B. 4 of the 134th General Assembly and S.B. 284 2200
of the 133rd General Assembly. The General Assembly, applying 2201
the principle stated in division (B) of section 1.52 of the 2202
Revised Code that amendments are to be harmonized if reasonably 2203
capable of simultaneous operation, finds that the composite is 2204
the resulting version of the section in effect prior to the 2205
effective date of the section as presented in this act. 2206