

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**S. B. No. 6**

**Senators Coley, Hottinger  
Cosponsor: Senator Hoagland**

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**A BILL**

To amend sections 109.572, 2151.421, and 5103.02 1  
and to enact sections 2151.90, 2151.901, 2 2151.902, 2151.903, 2151.904, 2151.905, 3 2151.906, 2151.907, 2151.908, 2151.909, and 4 2151.9010 of the Revised Code and to amend 5 section 109.572 of the Revised Code, effective 6 September 20, 2019, to regulate temporary child 7 hosting with host families. 8

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

**Section 1.** That sections 109.572, 2151.421, and 5103.02 be 9 amended and sections 2151.90, 2151.901, 2151.902, 2151.903, 10 2151.904, 2151.905, 2151.906, 2151.907, 2151.908, 2151.909, and 11 2151.9010 of the Revised Code be enacted to read as follows: 12

**Sec. 109.572.** (A) (1) Upon receipt of a request pursuant to 13 section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 14 Code, a completed form prescribed pursuant to division (C) (1) of 15 this section, and a set of fingerprint impressions obtained in 16 the manner described in division (C) (2) of this section, the 17 superintendent of the bureau of criminal identification and 18

investigation shall conduct a criminal records check in the 19  
manner described in division (B) of this section to determine 20  
whether any information exists that indicates that the person 21  
who is the subject of the request previously has been convicted 22  
of or pleaded guilty to any of the following: 23

(a) A violation of section 2903.01, 2903.02, 2903.03, 24  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 25  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 26  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 27  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 28  
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 29  
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 30  
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 31  
sexual penetration in violation of former section 2907.12 of the 32  
Revised Code, a violation of section 2905.04 of the Revised Code 33  
as it existed prior to July 1, 1996, a violation of section 34  
2919.23 of the Revised Code that would have been a violation of 35  
section 2905.04 of the Revised Code as it existed prior to July 36  
1, 1996, had the violation been committed prior to that date, or 37  
a violation of section 2925.11 of the Revised Code that is not a 38  
minor drug possession offense; 39

(b) A violation of an existing or former law of this 40  
state, any other state, or the United States that is 41  
substantially equivalent to any of the offenses listed in 42  
division (A)(1)(a) of this section; 43

(c) If the request is made pursuant to section 3319.39 of 44  
the Revised Code for an applicant who is a teacher, any offense 45  
specified in section 3319.31 of the Revised Code. 46

(2) On receipt of a request pursuant to section 3712.09 or 47  
3721.121 of the Revised Code, a completed form prescribed 48

pursuant to division (C)(1) of this section, and a set of 49  
fingerprint impressions obtained in the manner described in 50  
division (C)(2) of this section, the superintendent of the 51  
bureau of criminal identification and investigation shall 52  
conduct a criminal records check with respect to any person who 53  
has applied for employment in a position for which a criminal 54  
records check is required by those sections. The superintendent 55  
shall conduct the criminal records check in the manner described 56  
in division (B) of this section to determine whether any 57  
information exists that indicates that the person who is the 58  
subject of the request previously has been convicted of or 59  
pleaded guilty to any of the following: 60

(a) A violation of section 2903.01, 2903.02, 2903.03, 61  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 62  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 63  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 64  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 65  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 66  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 67  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 68  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 69

(b) An existing or former law of this state, any other 70  
state, or the United States that is substantially equivalent to 71  
any of the offenses listed in division (A)(2)(a) of this 72  
section. 73

(3) On receipt of a request pursuant to section 173.27, 74  
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 75  
5123.081, or 5123.169 of the Revised Code, a completed form 76  
prescribed pursuant to division (C)(1) of this section, and a 77  
set of fingerprint impressions obtained in the manner described 78

in division (C) (2) of this section, the superintendent of the 79  
bureau of criminal identification and investigation shall 80  
conduct a criminal records check of the person for whom the 81  
request is made. The superintendent shall conduct the criminal 82  
records check in the manner described in division (B) of this 83  
section to determine whether any information exists that 84  
indicates that the person who is the subject of the request 85  
previously has been convicted of, has pleaded guilty to, or 86  
(except in the case of a request pursuant to section 5164.34, 87  
5164.341, or 5164.342 of the Revised Code) has been found 88  
eligible for intervention in lieu of conviction for any of the 89  
following, regardless of the date of the conviction, the date of 90  
entry of the guilty plea, or (except in the case of a request 91  
pursuant to section 5164.34, 5164.341, or 5164.342 of the 92  
Revised Code) the date the person was found eligible for 93  
intervention in lieu of conviction: 94

(a) A violation of section 959.13, 959.131, 2903.01, 95  
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 96  
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 97  
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 98  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 99  
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 100  
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 101  
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 102  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 103  
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 104  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 105  
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 106  
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 107  
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 108  
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 109

2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02,	110
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11,	111
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36,	112
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;	113
(b) Felonious sexual penetration in violation of former	114
section 2907.12 of the Revised Code;	115
(c) A violation of section 2905.04 of the Revised Code as	116
it existed prior to July 1, 1996;	117
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	118
the Revised Code when the underlying offense that is the object	119
of the conspiracy, attempt, or complicity is one of the offenses	120
listed in divisions (A) (3) (a) to (c) of this section;	121
(e) A violation of an existing or former municipal	122
ordinance or law of this state, any other state, or the United	123
States that is substantially equivalent to any of the offenses	124
listed in divisions (A) (3) (a) to (d) of this section.	125
(4) On receipt of a request pursuant to section 2151.86 <u>or</u>	126
<u>2151.904</u> of the Revised Code, a completed form prescribed	127
pursuant to division (C) (1) of this section, and a set of	128
fingerprint impressions obtained in the manner described in	129
division (C) (2) of this section, the superintendent of the	130
bureau of criminal identification and investigation shall	131
conduct a criminal records check in the manner described in	132
division (B) of this section to determine whether any	133
information exists that indicates that the person who is the	134
subject of the request previously has been convicted of or	135
pleaded guilty to any of the following:	136
(a) A violation of section 959.13, 2903.01, 2903.02,	137
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16,	138

2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05,	139
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08,	140
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32,	141
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22,	142
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49,	143
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12,	144
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06,	145
2927.12, or 3716.11 of the Revised Code, a violation of section	146
2905.04 of the Revised Code as it existed prior to July 1, 1996,	147
a violation of section 2919.23 of the Revised Code that would	148
have been a violation of section 2905.04 of the Revised Code as	149
it existed prior to July 1, 1996, had the violation been	150
committed prior to that date, a violation of section 2925.11 of	151
the Revised Code that is not a minor drug possession offense,	152
two or more OVI or OVUAC violations committed within the three	153
years immediately preceding the submission of the application or	154
petition that is the basis of the request, or felonious sexual	155
penetration in violation of former section 2907.12 of the	156
Revised Code;	157
(b) A violation of an existing or former law of this	158
state, any other state, or the United States that is	159
substantially equivalent to any of the offenses listed in	160
division (A) (4) (a) of this section.	161
(5) Upon receipt of a request pursuant to section 5104.013	162
of the Revised Code, a completed form prescribed pursuant to	163
division (C) (1) of this section, and a set of fingerprint	164
impressions obtained in the manner described in division (C) (2)	165
of this section, the superintendent of the bureau of criminal	166
identification and investigation shall conduct a criminal	167
records check in the manner described in division (B) of this	168
section to determine whether any information exists that	169

indicates that the person who is the subject of the request has 170  
been convicted of or pleaded guilty to any of the following: 171

(a) A violation of section 2151.421, 2903.01, 2903.02, 172  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 173  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 174  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 175  
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 176  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 177  
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 178  
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 179  
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 180  
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 181  
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 182  
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 183  
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 184  
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 185  
3716.11 of the Revised Code, felonious sexual penetration in 186  
violation of former section 2907.12 of the Revised Code, a 187  
violation of section 2905.04 of the Revised Code as it existed 188  
prior to July 1, 1996, a violation of section 2919.23 of the 189  
Revised Code that would have been a violation of section 2905.04 190  
of the Revised Code as it existed prior to July 1, 1996, had the 191  
violation been committed prior to that date, a violation of 192  
section 2925.11 of the Revised Code that is not a minor drug 193  
possession offense, a violation of section 2923.02 or 2923.03 of 194  
the Revised Code that relates to a crime specified in this 195  
division, or a second violation of section 4511.19 of the 196  
Revised Code within five years of the date of application for 197  
licensure or certification. 198

(b) A violation of an existing or former law of this 199  
state, any other state, or the United States that is 200

substantially equivalent to any of the offenses or violations 201  
described in division (A) (5) (a) of this section. 202

(6) Upon receipt of a request pursuant to section 5153.111 203  
of the Revised Code, a completed form prescribed pursuant to 204  
division (C) (1) of this section, and a set of fingerprint 205  
impressions obtained in the manner described in division (C) (2) 206  
of this section, the superintendent of the bureau of criminal 207  
identification and investigation shall conduct a criminal 208  
records check in the manner described in division (B) of this 209  
section to determine whether any information exists that 210  
indicates that the person who is the subject of the request 211  
previously has been convicted of or pleaded guilty to any of the 212  
following: 213

(a) A violation of section 2903.01, 2903.02, 2903.03, 214  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 215  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 216  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 217  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 218  
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 219  
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 220  
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 221  
Code, felonious sexual penetration in violation of former 222  
section 2907.12 of the Revised Code, a violation of section 223  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 224  
a violation of section 2919.23 of the Revised Code that would 225  
have been a violation of section 2905.04 of the Revised Code as 226  
it existed prior to July 1, 1996, had the violation been 227  
committed prior to that date, or a violation of section 2925.11 228  
of the Revised Code that is not a minor drug possession offense; 229

(b) A violation of an existing or former law of this 230



state, any other state, or the United States that is 231  
substantially equivalent to any of the offenses listed in 232  
division (A) (6) (a) of this section. 233

(7) On receipt of a request for a criminal records check 234  
from an individual pursuant to section 4749.03 or 4749.06 of the 235  
Revised Code, accompanied by a completed copy of the form 236  
prescribed in division (C) (1) of this section and a set of 237  
fingerprint impressions obtained in a manner described in 238  
division (C) (2) of this section, the superintendent of the 239  
bureau of criminal identification and investigation shall 240  
conduct a criminal records check in the manner described in 241  
division (B) of this section to determine whether any 242  
information exists indicating that the person who is the subject 243  
of the request has been convicted of or pleaded guilty to a 244  
felony in this state or in any other state. If the individual 245  
indicates that a firearm will be carried in the course of 246  
business, the superintendent shall require information from the 247  
federal bureau of investigation as described in division (B) (2) 248  
of this section. Subject to division (F) of this section, the 249  
superintendent shall report the findings of the criminal records 250  
check and any information the federal bureau of investigation 251  
provides to the director of public safety. 252

(8) On receipt of a request pursuant to section 1321.37, 253  
1321.53, or 4763.05 of the Revised Code, a completed form 254  
prescribed pursuant to division (C) (1) of this section, and a 255  
set of fingerprint impressions obtained in the manner described 256  
in division (C) (2) of this section, the superintendent of the 257  
bureau of criminal identification and investigation shall 258  
conduct a criminal records check with respect to any person who 259  
has applied for a license, permit, or certification from the 260  
department of commerce or a division in the department. The 261

superintendent shall conduct the criminal records check in the 262  
manner described in division (B) of this section to determine 263  
whether any information exists that indicates that the person 264  
who is the subject of the request previously has been convicted 265  
of or pleaded guilty to any of the following: a violation of 266  
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 267  
Revised Code; any other criminal offense involving theft, 268  
receiving stolen property, embezzlement, forgery, fraud, passing 269  
bad checks, money laundering, or drug trafficking, or any 270  
criminal offense involving money or securities, as set forth in 271  
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 272  
the Revised Code; or any existing or former law of this state, 273  
any other state, or the United States that is substantially 274  
equivalent to those offenses. 275

(9) On receipt of a request for a criminal records check 276  
from the treasurer of state under section 113.041 of the Revised 277  
Code or from an individual under section 4701.08, 4715.101, 278  
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 279  
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 280  
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 281  
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 282  
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 283  
4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 284  
4779.091, or 4783.04 of the Revised Code, accompanied by a 285  
completed form prescribed under division (C)(1) of this section 286  
and a set of fingerprint impressions obtained in the manner 287  
described in division (C)(2) of this section, the superintendent 288  
of the bureau of criminal identification and investigation shall 289  
conduct a criminal records check in the manner described in 290  
division (B) of this section to determine whether any 291  
information exists that indicates that the person who is the 292

subject of the request has been convicted of or pleaded guilty 293  
to any criminal offense in this state or any other state. 294  
Subject to division (F) of this section, the superintendent 295  
shall send the results of a check requested under section 296  
113.041 of the Revised Code to the treasurer of state and shall 297  
send the results of a check requested under any of the other 298  
listed sections to the licensing board specified by the 299  
individual in the request. 300

(10) On receipt of a request pursuant to section 124.74, 301  
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 302  
completed form prescribed pursuant to division (C)(1) of this 303  
section, and a set of fingerprint impressions obtained in the 304  
manner described in division (C)(2) of this section, the 305  
superintendent of the bureau of criminal identification and 306  
investigation shall conduct a criminal records check in the 307  
manner described in division (B) of this section to determine 308  
whether any information exists that indicates that the person 309  
who is the subject of the request previously has been convicted 310  
of or pleaded guilty to any criminal offense under any existing 311  
or former law of this state, any other state, or the United 312  
States. 313

(11) On receipt of a request for a criminal records check 314  
from an appointing or licensing authority under section 3772.07 315  
of the Revised Code, a completed form prescribed under division 316  
(C)(1) of this section, and a set of fingerprint impressions 317  
obtained in the manner prescribed in division (C)(2) of this 318  
section, the superintendent of the bureau of criminal 319  
identification and investigation shall conduct a criminal 320  
records check in the manner described in division (B) of this 321  
section to determine whether any information exists that 322  
indicates that the person who is the subject of the request 323

previously has been convicted of or pleaded guilty or no contest 324  
to any offense under any existing or former law of this state, 325  
any other state, or the United States that is a disqualifying 326  
offense as defined in section 3772.07 of the Revised Code or 327  
substantially equivalent to such an offense. 328

(12) On receipt of a request pursuant to section 2151.33 329  
or 2151.412 of the Revised Code, a completed form prescribed 330  
pursuant to division (C)(1) of this section, and a set of 331  
fingerprint impressions obtained in the manner described in 332  
division (C)(2) of this section, the superintendent of the 333  
bureau of criminal identification and investigation shall 334  
conduct a criminal records check with respect to any person for 335  
whom a criminal records check is required under that section. 336  
The superintendent shall conduct the criminal records check in 337  
the manner described in division (B) of this section to 338  
determine whether any information exists that indicates that the 339  
person who is the subject of the request previously has been 340  
convicted of or pleaded guilty to any of the following: 341

(a) A violation of section 2903.01, 2903.02, 2903.03, 342  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 343  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 344  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 345  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 346  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 347  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 348  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 349  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 350

(b) An existing or former law of this state, any other 351  
state, or the United States that is substantially equivalent to 352  
any of the offenses listed in division (A)(12)(a) of this 353

section. 354

(13) On receipt of a request pursuant to section 3796.12 355  
of the Revised Code, a completed form prescribed pursuant to 356  
division (C) (1) of this section, and a set of fingerprint 357  
impressions obtained in a manner described in division (C) (2) of 358  
this section, the superintendent of the bureau of criminal 359  
identification and investigation shall conduct a criminal 360  
records check in the manner described in division (B) of this 361  
section to determine whether any information exists that 362  
indicates that the person who is the subject of the request 363  
previously has been convicted of or pleaded guilty to the 364  
following: 365

(a) A disqualifying offense as specified in rules adopted 366  
under division (B) (2) (b) of section 3796.03 of the Revised Code 367  
if the person who is the subject of the request is an 368  
administrator or other person responsible for the daily 369  
operation of, or an owner or prospective owner, officer or 370  
prospective officer, or board member or prospective board member 371  
of, an entity seeking a license from the department of commerce 372  
under Chapter 3796. of the Revised Code; 373

(b) A disqualifying offense as specified in rules adopted 374  
under division (B) (2) (b) of section 3796.04 of the Revised Code 375  
if the person who is the subject of the request is an 376  
administrator or other person responsible for the daily 377  
operation of, or an owner or prospective owner, officer or 378  
prospective officer, or board member or prospective board member 379  
of, an entity seeking a license from the state board of pharmacy 380  
under Chapter 3796. of the Revised Code. 381

(14) On receipt of a request required by section 3796.13 382  
of the Revised Code, a completed form prescribed pursuant to 383

division (C) (1) of this section, and a set of fingerprint 384  
impressions obtained in a manner described in division (C) (2) of 385  
this section, the superintendent of the bureau of criminal 386  
identification and investigation shall conduct a criminal 387  
records check in the manner described in division (B) of this 388  
section to determine whether any information exists that 389  
indicates that the person who is the subject of the request 390  
previously has been convicted of or pleaded guilty to the 391  
following: 392

(a) A disqualifying offense as specified in rules adopted 393  
under division (B) (8) (a) of section 3796.03 of the Revised Code 394  
if the person who is the subject of the request is seeking 395  
employment with an entity licensed by the department of commerce 396  
under Chapter 3796. of the Revised Code; 397

(b) A disqualifying offense as specified in rules adopted 398  
under division (B) (14) (a) of section 3796.04 of the Revised Code 399  
if the person who is the subject of the request is seeking 400  
employment with an entity licensed by the state board of 401  
pharmacy under Chapter 3796. of the Revised Code. 402

(15) On receipt of a request pursuant to section 4768.06 403  
of the Revised Code, a completed form prescribed under division 404  
(C) (1) of this section, and a set of fingerprint impressions 405  
obtained in the manner described in division (C) (2) of this 406  
section, the superintendent of the bureau of criminal 407  
identification and investigation shall conduct a criminal 408  
records check in the manner described in division (B) of this 409  
section to determine whether any information exists indicating 410  
that the person who is the subject of the request has been 411  
convicted of or pleaded guilty to a felony in this state or in 412  
any other state. 413

(16) On receipt of a request pursuant to division (B) of 414  
section 4764.07 of the Revised Code, a completed form prescribed 415  
under division (C) (1) of this section, and a set of fingerprint 416  
impressions obtained in the manner described in division (C) (2) 417  
of this section, the superintendent of the bureau of criminal 418  
identification and investigation shall conduct a criminal 419  
records check in the manner described in division (B) of this 420  
section to determine whether any information exists indicating 421  
that the person who is the subject of the request has been 422  
convicted of or pleaded guilty to any crime of moral turpitude, 423  
a felony, or an equivalent offense in any other state or the 424  
United States. 425

(B) Subject to division (F) of this section, the 426  
superintendent shall conduct any criminal records check to be 427  
conducted under this section as follows: 428

(1) The superintendent shall review or cause to be 429  
reviewed any relevant information gathered and compiled by the 430  
bureau under division (A) of section 109.57 of the Revised Code 431  
that relates to the person who is the subject of the criminal 432  
records check, including, if the criminal records check was 433  
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 434  
173.381, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 435  
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 436  
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 437  
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 438  
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 439  
the Revised Code, any relevant information contained in records 440  
that have been sealed under section 2953.32 of the Revised Code; 441

(2) If the request received by the superintendent asks for 442  
information from the federal bureau of investigation, the 443

superintendent shall request from the federal bureau of 444  
investigation any information it has with respect to the person 445  
who is the subject of the criminal records check, including 446  
fingerprint-based checks of national crime information databases 447  
as described in 42 U.S.C. 671 if the request is made pursuant to 448  
section 2151.86 or 5104.013 of the Revised Code or if any other 449  
Revised Code section requires fingerprint-based checks of that 450  
nature, and shall review or cause to be reviewed any information 451  
the superintendent receives from that bureau. If a request under 452  
section 3319.39 of the Revised Code asks only for information 453  
from the federal bureau of investigation, the superintendent 454  
shall not conduct the review prescribed by division (B) (1) of 455  
this section. 456

(3) The superintendent or the superintendent's designee 457  
may request criminal history records from other states or the 458  
federal government pursuant to the national crime prevention and 459  
privacy compact set forth in section 109.571 of the Revised 460  
Code. 461

(4) The superintendent shall include in the results of the 462  
criminal records check a list or description of the offenses 463  
listed or described in division (A) (1), (2), (3), (4), (5), (6), 464  
(7), (8), (9), (10), (11), (12), (13), (14), (15), or (16) of 465  
this section, whichever division requires the superintendent to 466  
conduct the criminal records check. The superintendent shall 467  
exclude from the results any information the dissemination of 468  
which is prohibited by federal law. 469

(5) The superintendent shall send the results of the 470  
criminal records check to the person to whom it is to be sent 471  
not later than the following number of days after the date the 472  
superintendent receives the request for the criminal records 473



check, the completed form prescribed under division (C) (1) of 474  
this section, and the set of fingerprint impressions obtained in 475  
the manner described in division (C) (2) of this section: 476

(a) If the superintendent is required by division (A) of 477  
this section (other than division (A) (3) of this section) to 478  
conduct the criminal records check, thirty; 479

(b) If the superintendent is required by division (A) (3) 480  
of this section to conduct the criminal records check, sixty. 481

(C) (1) The superintendent shall prescribe a form to obtain 482  
the information necessary to conduct a criminal records check 483  
from any person for whom a criminal records check is to be 484  
conducted under this section. The form that the superintendent 485  
prescribes pursuant to this division may be in a tangible 486  
format, in an electronic format, or in both tangible and 487  
electronic formats. 488

(2) The superintendent shall prescribe standard impression 489  
sheets to obtain the fingerprint impressions of any person for 490  
whom a criminal records check is to be conducted under this 491  
section. Any person for whom a records check is to be conducted 492  
under this section shall obtain the fingerprint impressions at a 493  
county sheriff's office, municipal police department, or any 494  
other entity with the ability to make fingerprint impressions on 495  
the standard impression sheets prescribed by the superintendent. 496  
The office, department, or entity may charge the person a 497  
reasonable fee for making the impressions. The standard 498  
impression sheets the superintendent prescribes pursuant to this 499  
division may be in a tangible format, in an electronic format, 500  
or in both tangible and electronic formats. 501

(3) Subject to division (D) of this section, the 502

superintendent shall prescribe and charge a reasonable fee for 503  
providing a criminal records check under this section. The 504  
person requesting the criminal records check shall pay the fee 505  
prescribed pursuant to this division. In the case of a request 506  
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 507  
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 508  
fee shall be paid in the manner specified in that section. 509

(4) The superintendent of the bureau of criminal 510  
identification and investigation may prescribe methods of 511  
forwarding fingerprint impressions and information necessary to 512  
conduct a criminal records check, which methods shall include, 513  
but not be limited to, an electronic method. 514

(D) The results of a criminal records check conducted 515  
under this section, other than a criminal records check 516  
specified in division (A) (7) of this section, are valid for the 517  
person who is the subject of the criminal records check for a 518  
period of one year from the date upon which the superintendent 519  
completes the criminal records check. If during that period the 520  
superintendent receives another request for a criminal records 521  
check to be conducted under this section for that person, the 522  
superintendent shall provide the results from the previous 523  
criminal records check of the person at a lower fee than the fee 524  
prescribed for the initial criminal records check. 525

(E) When the superintendent receives a request for 526  
information from a registered private provider, the 527  
superintendent shall proceed as if the request was received from 528  
a school district board of education under section 3319.39 of 529  
the Revised Code. The superintendent shall apply division (A) (1) 530  
(c) of this section to any such request for an applicant who is 531  
a teacher. 532

(F) (1) Subject to division (F) (2) of this section, all 533  
information regarding the results of a criminal records check 534  
conducted under this section that the superintendent reports or 535  
sends under division (A) (7) or (9) of this section to the 536  
director of public safety, the treasurer of state, or the 537  
person, board, or entity that made the request for the criminal 538  
records check shall relate to the conviction of the subject 539  
person, or the subject person's plea of guilty to, a criminal 540  
offense. 541

(2) Division (F) (1) of this section does not limit, 542  
restrict, or preclude the superintendent's release of 543  
information that relates to the arrest of a person who is 544  
eighteen years of age or older, to an adjudication of a child as 545  
a delinquent child, or to a criminal conviction of a person 546  
under eighteen years of age in circumstances in which a release 547  
of that nature is authorized under division (E) (2), (3), or (4) 548  
of section 109.57 of the Revised Code pursuant to a rule adopted 549  
under division (E) (1) of that section. 550

(G) As used in this section: 551

(1) "Criminal records check" means any criminal records 552  
check conducted by the superintendent of the bureau of criminal 553  
identification and investigation in accordance with division (B) 554  
of this section. 555

(2) "Minor drug possession offense" has the same meaning 556  
as in section 2925.01 of the Revised Code. 557

(3) "OVI or OVUAC violation" means a violation of section 558  
4511.19 of the Revised Code or a violation of an existing or 559  
former law of this state, any other state, or the United States 560  
that is substantially equivalent to section 4511.19 of the 561

Revised Code. 562

(4) "Registered private provider" means a nonpublic school 563  
or entity registered with the superintendent of public 564  
instruction under section 3310.41 of the Revised Code to 565  
participate in the autism scholarship program or section 3310.58 566  
of the Revised Code to participate in the Jon Peterson special 567  
needs scholarship program. 568

**Sec. 2151.421.** (A) (1) (a) No person described in division 569  
(A) (1) (b) of this section who is acting in an official or 570  
professional capacity and knows, or has reasonable cause to 571  
suspect based on facts that would cause a reasonable person in a 572  
similar position to suspect, that a child under eighteen years 573  
of age, or a person under twenty-one years of age with a 574  
developmental disability or physical impairment, has suffered or 575  
faces a threat of suffering any physical or mental wound, 576  
injury, disability, or condition of a nature that reasonably 577  
indicates abuse or neglect of the child shall fail to 578  
immediately report that knowledge or reasonable cause to suspect 579  
to the entity or persons specified in this division. Except as 580  
otherwise provided in this division or section 5120.173 of the 581  
Revised Code, the person making the report shall make it to the 582  
public children services agency or a peace officer in the county 583  
in which the child resides or in which the abuse or neglect is 584  
occurring or has occurred. If the person making the report is a 585  
peace officer, the officer shall make it to the public children 586  
services agency in the county in which the child resides or in 587  
which the abuse or neglect is occurring or has occurred. In the 588  
circumstances described in section 5120.173 of the Revised Code, 589  
the person making the report shall make it to the entity 590  
specified in that section. 591

(b) Division (A) (1) (a) of this section applies to any 592  
person who is an attorney; health care professional; 593  
practitioner of a limited branch of medicine as specified in 594  
section 4731.15 of the Revised Code; licensed school 595  
psychologist; independent marriage and family therapist or 596  
marriage and family therapist; coroner; administrator or 597  
employee of a child day-care center; administrator or employee 598  
of a residential camp, child day camp, or private, nonprofit 599  
therapeutic wilderness camp; administrator or employee of a 600  
certified child care agency or other public or private children 601  
services agency; school teacher; school employee; school 602  
authority; peace officer; agent of a county humane society; 603  
person, other than a cleric, rendering spiritual treatment 604  
through prayer in accordance with the tenets of a well- 605  
recognized religion; employee of a county department of job and 606  
family services who is a professional and who works with 607  
children and families; superintendent or regional administrator 608  
employed by the department of youth services; superintendent, 609  
board member, or employee of a county board of developmental 610  
disabilities; investigative agent contracted with by a county 611  
board of developmental disabilities; employee of the department 612  
of developmental disabilities; employee of a facility or home 613  
that provides respite care in accordance with section 5123.171 614  
of the Revised Code; employee of an entity that provides 615  
homemaker services; employee of a qualified organization as 616  
defined in section 2151.90 of the Revised Code; a person 617  
performing the duties of an assessor pursuant to Chapter 3107. 618  
or 5103. of the Revised Code; third party employed by a public 619  
children services agency to assist in providing child or family 620  
related services; court appointed special advocate; or guardian 621  
ad litem. 622

(c) If two or more health care professionals, after 623  
providing health care services to a child, determine or suspect 624  
that the child has been or is being abused or neglected, the 625  
health care professionals may designate one of the health care 626  
professionals to report the abuse or neglect. A single report 627  
made under this division shall meet the reporting requirements 628  
of division (A) (1) of this section. 629

(2) Except as provided in division (A) (3) of this section, 630  
an attorney or a physician is not required to make a report 631  
pursuant to division (A) (1) of this section concerning any 632  
communication the attorney or physician receives from a client 633  
or patient in an attorney-client or physician-patient 634  
relationship, if, in accordance with division (A) or (B) of 635  
section 2317.02 of the Revised Code, the attorney or physician 636  
could not testify with respect to that communication in a civil 637  
or criminal proceeding. 638

(3) The client or patient in an attorney-client or 639  
physician-patient relationship described in division (A) (2) of 640  
this section is deemed to have waived any testimonial privilege 641  
under division (A) or (B) of section 2317.02 of the Revised Code 642  
with respect to any communication the attorney or physician 643  
receives from the client or patient in that attorney-client or 644  
physician-patient relationship, and the attorney or physician 645  
shall make a report pursuant to division (A) (1) of this section 646  
with respect to that communication, if all of the following 647  
apply: 648

(a) The client or patient, at the time of the 649  
communication, is a child under eighteen years of age or is a 650  
person under twenty-one years of age with a developmental 651  
disability or physical impairment. 652

(b) The attorney or physician knows, or has reasonable 653  
cause to suspect based on facts that would cause a reasonable 654  
person in similar position to suspect that the client or patient 655  
has suffered or faces a threat of suffering any physical or 656  
mental wound, injury, disability, or condition of a nature that 657  
reasonably indicates abuse or neglect of the client or patient. 658

(c) The abuse or neglect does not arise out of the 659  
client's or patient's attempt to have an abortion without the 660  
notification of her parents, guardian, or custodian in 661  
accordance with section 2151.85 of the Revised Code. 662

(4) (a) No cleric and no person, other than a volunteer, 663  
designated by any church, religious society, or faith acting as 664  
a leader, official, or delegate on behalf of the church, 665  
religious society, or faith who is acting in an official or 666  
professional capacity, who knows, or has reasonable cause to 667  
believe based on facts that would cause a reasonable person in a 668  
similar position to believe, that a child under eighteen years 669  
of age, or a person under twenty-one years of age with a 670  
developmental disability or physical impairment, has suffered or 671  
faces a threat of suffering any physical or mental wound, 672  
injury, disability, or condition of a nature that reasonably 673  
indicates abuse or neglect of the child, and who knows, or has 674  
reasonable cause to believe based on facts that would cause a 675  
reasonable person in a similar position to believe, that another 676  
cleric or another person, other than a volunteer, designated by 677  
a church, religious society, or faith acting as a leader, 678  
official, or delegate on behalf of the church, religious 679  
society, or faith caused, or poses the threat of causing, the 680  
wound, injury, disability, or condition that reasonably 681  
indicates abuse or neglect shall fail to immediately report that 682  
knowledge or reasonable cause to believe to the entity or 683

persons specified in this division. Except as provided in 684  
section 5120.173 of the Revised Code, the person making the 685  
report shall make it to the public children services agency or a 686  
peace officer in the county in which the child resides or in 687  
which the abuse or neglect is occurring or has occurred. In the 688  
circumstances described in section 5120.173 of the Revised Code, 689  
the person making the report shall make it to the entity 690  
specified in that section. 691

(b) Except as provided in division (A) (4) (c) of this 692  
section, a cleric is not required to make a report pursuant to 693  
division (A) (4) (a) of this section concerning any communication 694  
the cleric receives from a penitent in a cleric-penitent 695  
relationship, if, in accordance with division (C) of section 696  
2317.02 of the Revised Code, the cleric could not testify with 697  
respect to that communication in a civil or criminal proceeding. 698

(c) The penitent in a cleric-penitent relationship 699  
described in division (A) (4) (b) of this section is deemed to 700  
have waived any testimonial privilege under division (C) of 701  
section 2317.02 of the Revised Code with respect to any 702  
communication the cleric receives from the penitent in that 703  
cleric-penitent relationship, and the cleric shall make a report 704  
pursuant to division (A) (4) (a) of this section with respect to 705  
that communication, if all of the following apply: 706

(i) The penitent, at the time of the communication, is a 707  
child under eighteen years of age or is a person under twenty- 708  
one years of age with a developmental disability or physical 709  
impairment. 710

(ii) The cleric knows, or has reasonable cause to believe 711  
based on facts that would cause a reasonable person in a similar 712  
position to believe, as a result of the communication or any 713



observations made during that communication, the penitent has 714  
suffered or faces a threat of suffering any physical or mental 715  
wound, injury, disability, or condition of a nature that 716  
reasonably indicates abuse or neglect of the penitent. 717

(iii) The abuse or neglect does not arise out of the 718  
penitent's attempt to have an abortion performed upon a child 719  
under eighteen years of age or upon a person under twenty-one 720  
years of age with a developmental disability or physical 721  
impairment without the notification of her parents, guardian, or 722  
custodian in accordance with section 2151.85 of the Revised 723  
Code. 724

(d) Divisions (A) (4) (a) and (c) of this section do not 725  
apply in a cleric-penitent relationship when the disclosure of 726  
any communication the cleric receives from the penitent is in 727  
violation of the sacred trust. 728

(e) As used in divisions (A) (1) and (4) of this section, 729  
"cleric" and "sacred trust" have the same meanings as in section 730  
2317.02 of the Revised Code. 731

(B) Anyone who knows, or has reasonable cause to suspect 732  
based on facts that would cause a reasonable person in similar 733  
circumstances to suspect, that a child under eighteen years of 734  
age, or a person under twenty-one years of age with a 735  
developmental disability or physical impairment, has suffered or 736  
faces a threat of suffering any physical or mental wound, 737  
injury, disability, or other condition of a nature that 738  
reasonably indicates abuse or neglect of the child may report or 739  
cause reports to be made of that knowledge or reasonable cause 740  
to suspect to the entity or persons specified in this division. 741  
Except as provided in section 5120.173 of the Revised Code, a 742  
person making a report or causing a report to be made under this 743

division shall make it or cause it to be made to the public 744  
children services agency or to a peace officer. In the 745  
circumstances described in section 5120.173 of the Revised Code, 746  
a person making a report or causing a report to be made under 747  
this division shall make it or cause it to be made to the entity 748  
specified in that section. 749

(C) Any report made pursuant to division (A) or (B) of 750  
this section shall be made forthwith either by telephone or in 751  
person and shall be followed by a written report, if requested 752  
by the receiving agency or officer. The written report shall 753  
contain: 754

(1) The names and addresses of the child and the child's 755  
parents or the person or persons having custody of the child, if 756  
known; 757

(2) The child's age and the nature and extent of the 758  
child's injuries, abuse, or neglect that is known or reasonably 759  
suspected or believed, as applicable, to have occurred or of the 760  
threat of injury, abuse, or neglect that is known or reasonably 761  
suspected or believed, as applicable, to exist, including any 762  
evidence of previous injuries, abuse, or neglect; 763

(3) Any other information, including, but not limited to, 764  
results and reports of any medical examinations, tests, or 765  
procedures performed under division (D) of this section, that 766  
might be helpful in establishing the cause of the injury, abuse, 767  
or neglect that is known or reasonably suspected or believed, as 768  
applicable, to have occurred or of the threat of injury, abuse, 769  
or neglect that is known or reasonably suspected or believed, as 770  
applicable, to exist. 771

(D) (1) Any person, who is required by division (A) of this 772

section to report child abuse or child neglect that is known or 773  
reasonably suspected or believed to have occurred, may take or 774  
cause to be taken color photographs of areas of trauma visible 775  
on a child and, if medically necessary for the purpose of 776  
diagnosing or treating injuries that are suspected to have 777  
occurred as a result of child abuse or child neglect, perform or 778  
cause to be performed radiological examinations and any other 779  
medical examinations of, and tests or procedures on, the child. 780

(2) The results and any available reports of examinations, 781  
tests, or procedures made under division (D)(1) of this section 782  
shall be included in a report made pursuant to division (A) of 783  
this section. Any additional reports of examinations, tests, or 784  
procedures that become available shall be provided to the public 785  
children services agency, upon request. 786

(3) If a health care professional provides health care 787  
services in a hospital, children's advocacy center, or emergency 788  
medical facility to a child about whom a report has been made 789  
under division (A) of this section, the health care professional 790  
may take any steps that are reasonably necessary for the release 791  
or discharge of the child to an appropriate environment. Before 792  
the child's release or discharge, the health care professional 793  
may obtain information, or consider information obtained, from 794  
other entities or individuals that have knowledge about the 795  
child. Nothing in division (D)(3) of this section shall be 796  
construed to alter the responsibilities of any person under 797  
sections 2151.27 and 2151.31 of the Revised Code. 798

(4) A health care professional may conduct medical 799  
examinations, tests, or procedures on the siblings of a child 800  
about whom a report has been made under division (A) of this 801  
section and on other children who reside in the same home as the 802

child, if the professional determines that the examinations, 803  
tests, or procedures are medically necessary to diagnose or 804  
treat the siblings or other children in order to determine 805  
whether reports under division (A) of this section are warranted 806  
with respect to such siblings or other children. The results of 807  
the examinations, tests, or procedures on the siblings and other 808  
children may be included in a report made pursuant to division 809  
(A) of this section. 810

(5) Medical examinations, tests, or procedures conducted 811  
under divisions (D) (1) and (4) of this section and decisions 812  
regarding the release or discharge of a child under division (D) 813  
(3) of this section do not constitute a law enforcement 814  
investigation or activity. 815

(E) (1) When a peace officer receives a report made 816  
pursuant to division (A) or (B) of this section, upon receipt of 817  
the report, the peace officer who receives the report shall 818  
refer the report to the appropriate public children services 819  
agency, unless an arrest is made at the time of the report that 820  
results in the appropriate public children services agency being 821  
contacted concerning the possible abuse or neglect of a child or 822  
the possible threat of abuse or neglect of a child. 823

(2) When a public children services agency receives a 824  
report pursuant to this division or division (A) or (B) of this 825  
section, upon receipt of the report, the public children 826  
services agency shall do both of the following: 827

(a) Comply with section 2151.422 of the Revised Code; 828

(b) If the county served by the agency is also served by a 829  
children's advocacy center and the report alleges sexual abuse 830  
of a child or another type of abuse of a child that is specified 831

in the memorandum of understanding that creates the center as 832  
being within the center's jurisdiction, comply regarding the 833  
report with the protocol and procedures for referrals and 834  
investigations, with the coordinating activities, and with the 835  
authority or responsibility for performing or providing 836  
functions, activities, and services stipulated in the 837  
interagency agreement entered into under section 2151.428 of the 838  
Revised Code relative to that center. 839

(F) No peace officer shall remove a child about whom a 840  
report is made pursuant to this section from the child's 841  
parents, stepparents, or guardian or any other persons having 842  
custody of the child without consultation with the public 843  
children services agency, unless, in the judgment of the 844  
officer, and, if the report was made by physician, the 845  
physician, immediate removal is considered essential to protect 846  
the child from further abuse or neglect. The agency that must be 847  
consulted shall be the agency conducting the investigation of 848  
the report as determined pursuant to section 2151.422 of the 849  
Revised Code. 850

(G) (1) Except as provided in section 2151.422 of the 851  
Revised Code or in an interagency agreement entered into under 852  
section 2151.428 of the Revised Code that applies to the 853  
particular report, the public children services agency shall 854  
investigate, within twenty-four hours, each report of child 855  
abuse or child neglect that is known or reasonably suspected or 856  
believed to have occurred and of a threat of child abuse or 857  
child neglect that is known or reasonably suspected or believed 858  
to exist that is referred to it under this section to determine 859  
the circumstances surrounding the injuries, abuse, or neglect or 860  
the threat of injury, abuse, or neglect, the cause of the 861  
injuries, abuse, neglect, or threat, and the person or persons 862

responsible. The investigation shall be made in cooperation with 863  
the law enforcement agency and in accordance with the memorandum 864  
of understanding prepared under division (K) of this section. A 865  
representative of the public children services agency shall, at 866  
the time of initial contact with the person subject to the 867  
investigation, inform the person of the specific complaints or 868  
allegations made against the person. The information shall be 869  
given in a manner that is consistent with division (I)(1) of 870  
this section and protects the rights of the person making the 871  
report under this section. 872

A failure to make the investigation in accordance with the 873  
memorandum is not grounds for, and shall not result in, the 874  
dismissal of any charges or complaint arising from the report or 875  
the suppression of any evidence obtained as a result of the 876  
report and does not give, and shall not be construed as giving, 877  
any rights or any grounds for appeal or post-conviction relief 878  
to any person. The public children services agency shall report 879  
each case to the uniform statewide automated child welfare 880  
information system that the department of job and family 881  
services shall maintain in accordance with section 5101.13 of 882  
the Revised Code. The public children services agency shall 883  
submit a report of its investigation, in writing, to the law 884  
enforcement agency. 885

(2) The public children services agency shall make any 886  
recommendations to the county prosecuting attorney or city 887  
director of law that it considers necessary to protect any 888  
children that are brought to its attention. 889

(H)(1)(a) Except as provided in divisions (H)(1)(b) and 890  
(I)(3) of this section, any person, health care professional, 891  
hospital, institution, school, health department, or agency 892

shall be immune from any civil or criminal liability for injury, 893  
death, or loss to person or property that otherwise might be 894  
incurred or imposed as a result of any of the following: 895

(i) Participating in the making of reports pursuant to 896  
division (A) of this section or in the making of reports in good 897  
faith, pursuant to division (B) of this section; 898

(ii) Participating in medical examinations, tests, or 899  
procedures under division (D) of this section; 900

(iii) Providing information used in a report made pursuant 901  
to division (A) of this section or providing information in good 902  
faith used in a report made pursuant to division (B) of this 903  
section; 904

(iv) Participating in a judicial proceeding resulting from 905  
a report made pursuant to division (A) of this section or 906  
participating in good faith in a proceeding resulting from a 907  
report made pursuant to division (B) of this section. 908

(b) Immunity under division (H) (1) (a) (ii) of this section 909  
shall not apply when a health care provider has deviated from 910  
the standard of care applicable to the provider's profession. 911

(c) Notwithstanding section 4731.22 of the Revised Code, 912  
the physician-patient privilege shall not be a ground for 913  
excluding evidence regarding a child's injuries, abuse, or 914  
neglect, or the cause of the injuries, abuse, or neglect in any 915  
judicial proceeding resulting from a report submitted pursuant 916  
to this section. 917

(2) In any civil or criminal action or proceeding in which 918  
it is alleged and proved that participation in the making of a 919  
report under this section was not in good faith or participation 920  
in a judicial proceeding resulting from a report made under this 921

section was not in good faith, the court shall award the 922  
prevailing party reasonable attorney's fees and costs and, if a 923  
civil action or proceeding is voluntarily dismissed, may award 924  
reasonable attorney's fees and costs to the party against whom 925  
the civil action or proceeding is brought. 926

(I) (1) Except as provided in divisions (I) (4) and (O) of 927  
this section, a report made under this section is confidential. 928  
The information provided in a report made pursuant to this 929  
section and the name of the person who made the report shall not 930  
be released for use, and shall not be used, as evidence in any 931  
civil action or proceeding brought against the person who made 932  
the report. Nothing in this division shall preclude the use of 933  
reports of other incidents of known or suspected abuse or 934  
neglect in a civil action or proceeding brought pursuant to 935  
division (N) of this section against a person who is alleged to 936  
have violated division (A) (1) of this section, provided that any 937  
information in a report that would identify the child who is the 938  
subject of the report or the maker of the report, if the maker 939  
of the report is not the defendant or an agent or employee of 940  
the defendant, has been redacted. In a criminal proceeding, the 941  
report is admissible in evidence in accordance with the Rules of 942  
Evidence and is subject to discovery in accordance with the 943  
Rules of Criminal Procedure. 944

(2) (a) Except as provided in division (I) (2) (b) of this 945  
section, no person shall permit or encourage the unauthorized 946  
dissemination of the contents of any report made under this 947  
section. 948

(b) A health care professional that obtains the same 949  
information contained in a report made under this section from a 950  
source other than the report may disseminate the information, if 951



its dissemination is otherwise permitted by law. 952

(3) A person who knowingly makes or causes another person 953  
to make a false report under division (B) of this section that 954  
alleges that any person has committed an act or omission that 955  
resulted in a child being an abused child or a neglected child 956  
is guilty of a violation of section 2921.14 of the Revised Code. 957

(4) If a report is made pursuant to division (A) or (B) of 958  
this section and the child who is the subject of the report dies 959  
for any reason at any time after the report is made, but before 960  
the child attains eighteen years of age, the public children 961  
services agency or peace officer to which the report was made or 962  
referred, on the request of the child fatality review board or 963  
the director of health pursuant to guidelines established under 964  
section 3701.70 of the Revised Code, shall submit a summary 965  
sheet of information providing a summary of the report to the 966  
review board of the county in which the deceased child resided 967  
at the time of death or to the director. On the request of the 968  
review board or director, the agency or peace officer may, at 969  
its discretion, make the report available to the review board or 970  
director. If the county served by the public children services 971  
agency is also served by a children's advocacy center and the 972  
report of alleged sexual abuse of a child or another type of 973  
abuse of a child is specified in the memorandum of understanding 974  
that creates the center as being within the center's 975  
jurisdiction, the agency or center shall perform the duties and 976  
functions specified in this division in accordance with the 977  
interagency agreement entered into under section 2151.428 of the 978  
Revised Code relative to that advocacy center. 979

(5) A public children services agency shall advise a 980  
person alleged to have inflicted abuse or neglect on a child who 981

is the subject of a report made pursuant to this section, 982  
including a report alleging sexual abuse of a child or another 983  
type of abuse of a child referred to a children's advocacy 984  
center pursuant to an interagency agreement entered into under 985  
section 2151.428 of the Revised Code, in writing of the 986  
disposition of the investigation. The agency shall not provide 987  
to the person any information that identifies the person who 988  
made the report, statements of witnesses, or police or other 989  
investigative reports. 990

(J) Any report that is required by this section, other 991  
than a report that is made to the state highway patrol as 992  
described in section 5120.173 of the Revised Code, shall result 993  
in protective services and emergency supportive services being 994  
made available by the public children services agency on behalf 995  
of the children about whom the report is made, in an effort to 996  
prevent further neglect or abuse, to enhance their welfare, and, 997  
whenever possible, to preserve the family unit intact. The 998  
agency required to provide the services shall be the agency 999  
conducting the investigation of the report pursuant to section 1000  
2151.422 of the Revised Code. 1001

(K) (1) Each public children services agency shall prepare 1002  
a memorandum of understanding that is signed by all of the 1003  
following: 1004

(a) If there is only one juvenile judge in the county, the 1005  
juvenile judge of the county or the juvenile judge's 1006  
representative; 1007

(b) If there is more than one juvenile judge in the 1008  
county, a juvenile judge or the juvenile judges' representative 1009  
selected by the juvenile judges or, if they are unable to do so 1010  
for any reason, the juvenile judge who is senior in point of 1011

service or the senior juvenile judge's representative;	1012
(c) The county peace officer;	1013
(d) All chief municipal peace officers within the county;	1014
(e) Other law enforcement officers handling child abuse and neglect cases in the county;	1015 1016
(f) The prosecuting attorney of the county;	1017
(g) If the public children services agency is not the county department of job and family services, the county department of job and family services;	1018 1019 1020
(h) The county humane society;	1021
(i) If the public children services agency participated in the execution of a memorandum of understanding under section 2151.426 of the Revised Code establishing a children's advocacy center, each participating member of the children's advocacy center established by the memorandum.	1022 1023 1024 1025 1026
(2) A memorandum of understanding shall set forth the normal operating procedure to be employed by all concerned officials in the execution of their respective responsibilities under this section and division (C) of section 2919.21, division (B) (1) of section 2919.22, division (B) of section 2919.23, and section 2919.24 of the Revised Code and shall have as two of its primary goals the elimination of all unnecessary interviews of children who are the subject of reports made pursuant to division (A) or (B) of this section and, when feasible, providing for only one interview of a child who is the subject of any report made pursuant to division (A) or (B) of this section. A failure to follow the procedure set forth in the memorandum by the concerned officials is not grounds for, and	1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039

shall not result in, the dismissal of any charges or complaint 1040  
arising from any reported case of abuse or neglect or the 1041  
suppression of any evidence obtained as a result of any reported 1042  
child abuse or child neglect and does not give, and shall not be 1043  
construed as giving, any rights or any grounds for appeal or 1044  
post-conviction relief to any person. 1045

(3) A memorandum of understanding shall include all of the 1046  
following: 1047

(a) The roles and responsibilities for handling emergency 1048  
and nonemergency cases of abuse and neglect; 1049

(b) Standards and procedures to be used in handling and 1050  
coordinating investigations of reported cases of child abuse and 1051  
reported cases of child neglect, methods to be used in 1052  
interviewing the child who is the subject of the report and who 1053  
allegedly was abused or neglected, and standards and procedures 1054  
addressing the categories of persons who may interview the child 1055  
who is the subject of the report and who allegedly was abused or 1056  
neglected. 1057

(4) If a public children services agency participated in 1058  
the execution of a memorandum of understanding under section 1059  
2151.426 of the Revised Code establishing a children's advocacy 1060  
center, the agency shall incorporate the contents of that 1061  
memorandum in the memorandum prepared pursuant to this section. 1062

(5) The clerk of the court of common pleas in the county 1063  
may sign the memorandum of understanding prepared under division 1064  
(K)(1) of this section. If the clerk signs the memorandum of 1065  
understanding, the clerk shall execute all relevant 1066  
responsibilities as required of officials specified in the 1067  
memorandum. 1068

(L) (1) Except as provided in division (L) (4) or (5) of 1069  
this section, a person who is required to make a report pursuant 1070  
to division (A) of this section may make a reasonable number of 1071  
requests of the public children services agency that receives or 1072  
is referred the report, or of the children's advocacy center 1073  
that is referred the report if the report is referred to a 1074  
children's advocacy center pursuant to an interagency agreement 1075  
entered into under section 2151.428 of the Revised Code, to be 1076  
provided with the following information: 1077

(a) Whether the agency or center has initiated an 1078  
investigation of the report; 1079

(b) Whether the agency or center is continuing to 1080  
investigate the report; 1081

(c) Whether the agency or center is otherwise involved 1082  
with the child who is the subject of the report; 1083

(d) The general status of the health and safety of the 1084  
child who is the subject of the report; 1085

(e) Whether the report has resulted in the filing of a 1086  
complaint in juvenile court or of criminal charges in another 1087  
court. 1088

(2) A person may request the information specified in 1089  
division (L) (1) of this section only if, at the time the report 1090  
is made, the person's name, address, and telephone number are 1091  
provided to the person who receives the report. 1092

When a peace officer or employee of a public children 1093  
services agency receives a report pursuant to division (A) or 1094  
(B) of this section the recipient of the report shall inform the 1095  
person of the right to request the information described in 1096  
division (L) (1) of this section. The recipient of the report 1097

shall include in the initial child abuse or child neglect report 1098  
that the person making the report was so informed and, if 1099  
provided at the time of the making of the report, shall include 1100  
the person's name, address, and telephone number in the report. 1101

Each request is subject to verification of the identity of 1102  
the person making the report. If that person's identity is 1103  
verified, the agency shall provide the person with the 1104  
information described in division (L) (1) of this section a 1105  
reasonable number of times, except that the agency shall not 1106  
disclose any confidential information regarding the child who is 1107  
the subject of the report other than the information described 1108  
in those divisions. 1109

(3) A request made pursuant to division (L) (1) of this 1110  
section is not a substitute for any report required to be made 1111  
pursuant to division (A) of this section. 1112

(4) If an agency other than the agency that received or 1113  
was referred the report is conducting the investigation of the 1114  
report pursuant to section 2151.422 of the Revised Code, the 1115  
agency conducting the investigation shall comply with the 1116  
requirements of division (L) of this section. 1117

(5) A health care professional who made a report under 1118  
division (A) of this section, or on whose behalf such a report 1119  
was made as provided in division (A) (1) (c) of this section, may 1120  
authorize a person to obtain the information described in 1121  
division (L) (1) of this section if the person requesting the 1122  
information is associated with or acting on behalf of the health 1123  
care professional who provided health care services to the child 1124  
about whom the report was made. 1125

(M) The director of job and family services shall adopt 1126

rules in accordance with Chapter 119. of the Revised Code to 1127  
implement this section. The department of job and family 1128  
services may enter into a plan of cooperation with any other 1129  
governmental entity to aid in ensuring that children are 1130  
protected from abuse and neglect. The department shall make 1131  
recommendations to the attorney general that the department 1132  
determines are necessary to protect children from child abuse 1133  
and child neglect. 1134

(N) Whoever violates division (A) of this section is 1135  
liable for compensatory and exemplary damages to the child who 1136  
would have been the subject of the report that was not made. A 1137  
person who brings a civil action or proceeding pursuant to this 1138  
division against a person who is alleged to have violated 1139  
division (A) (1) of this section may use in the action or 1140  
proceeding reports of other incidents of known or suspected 1141  
abuse or neglect, provided that any information in a report that 1142  
would identify the child who is the subject of the report or the 1143  
maker of the report, if the maker is not the defendant or an 1144  
agent or employee of the defendant, has been redacted. 1145

(O) (1) As used in this division: 1146

(a) "Out-of-home care" includes a nonchartered nonpublic 1147  
school if the alleged child abuse or child neglect, or alleged 1148  
threat of child abuse or child neglect, described in a report 1149  
received by a public children services agency allegedly occurred 1150  
in or involved the nonchartered nonpublic school and the alleged 1151  
perpetrator named in the report holds a certificate, permit, or 1152  
license issued by the state board of education under section 1153  
3301.071 or Chapter 3319. of the Revised Code. 1154

(b) "Administrator, director, or other chief 1155  
administrative officer" means the superintendent of the school 1156

district if the out-of-home care entity subject to a report made 1157  
pursuant to this section is a school operated by the district. 1158

(2) No later than the end of the day following the day on 1159  
which a public children services agency receives a report of 1160  
alleged child abuse or child neglect, or a report of an alleged 1161  
threat of child abuse or child neglect, that allegedly occurred 1162  
in or involved an out-of-home care entity, the agency shall 1163  
provide written notice of the allegations contained in and the 1164  
person named as the alleged perpetrator in the report to the 1165  
administrator, director, or other chief administrative officer 1166  
of the out-of-home care entity that is the subject of the report 1167  
unless the administrator, director, or other chief 1168  
administrative officer is named as an alleged perpetrator in the 1169  
report. If the administrator, director, or other chief 1170  
administrative officer of an out-of-home care entity is named as 1171  
an alleged perpetrator in a report of alleged child abuse or 1172  
child neglect, or a report of an alleged threat of child abuse 1173  
or child neglect, that allegedly occurred in or involved the 1174  
out-of-home care entity, the agency shall provide the written 1175  
notice to the owner or governing board of the out-of-home care 1176  
entity that is the subject of the report. The agency shall not 1177  
provide witness statements or police or other investigative 1178  
reports. 1179

(3) No later than three days after the day on which a 1180  
public children services agency that conducted the investigation 1181  
as determined pursuant to section 2151.422 of the Revised Code 1182  
makes a disposition of an investigation involving a report of 1183  
alleged child abuse or child neglect, or a report of an alleged 1184  
threat of child abuse or child neglect, that allegedly occurred 1185  
in or involved an out-of-home care entity, the agency shall send 1186  
written notice of the disposition of the investigation to the 1187



administrator, director, or other chief administrative officer 1188  
and the owner or governing board of the out-of-home care entity. 1189  
The agency shall not provide witness statements or police or 1190  
other investigative reports. 1191

(P) As used in this section: 1192

(1) "Children's advocacy center" and "sexual abuse of a 1193  
child" have the same meanings as in section 2151.425 of the 1194  
Revised Code. 1195

(2) "Health care professional" means an individual who 1196  
provides health-related services including a physician, hospital 1197  
intern or resident, dentist, podiatrist, registered nurse, 1198  
licensed practical nurse, visiting nurse, licensed psychologist, 1199  
speech pathologist, audiologist, person engaged in social work 1200  
or the practice of professional counseling, and employee of a 1201  
home health agency. "Health care professional" does not include 1202  
a practitioner of a limited branch of medicine as specified in 1203  
section 4731.15 of the Revised Code, licensed school 1204  
psychologist, independent marriage and family therapist or 1205  
marriage and family therapist, or coroner. 1206

(3) "Investigation" means the public children services 1207  
agency's response to an accepted report of child abuse or 1208  
neglect through either an alternative response or a traditional 1209  
response. 1210

(4) "Peace officer" means a sheriff, deputy sheriff, 1211  
constable, police officer of a township or joint police 1212  
district, marshal, deputy marshal, municipal police officer, or 1213  
a state highway patrol trooper. 1214

Sec. 2151.90. (A) As used in sections 2151.90 to 2151.9010 1215  
of the Revised Code: 1216

(1) "Host family" means any individual who provides care 1217  
in the individual's private residence for a child or single- 1218  
family group, at the request of the custodial parent, under a 1219  
host family agreement. The individual also may provide care for 1220  
the individual's own child or children. The term "host family" 1221  
excludes a foster home. 1222

(2) "Qualified organization" means a private association, 1223  
organization, corporation, nonprofit, or other entity that is 1224  
not a Title IV-E reimbursable setting and that has established a 1225  
program that does all of the following: 1226

(a) Provides resources and services to assist, support, 1227  
and educate parents, host families, children, or any person 1228  
hosting a child under a host family agreement on a temporary 1229  
basis; 1230

(b) Conducts a criminal background check on the intended 1231  
host family and all adults residing in the host family's 1232  
household; 1233

(c) Requires a background check in the central registry of 1234  
abuse and neglect of this state from the department of job and 1235  
family services for the intended host family and all adults 1236  
residing in the host family's household; 1237

(d) Ensures that the host family is trained on the rights, 1238  
duties, responsibilities, and limitations as outlined in the 1239  
host family agreement; 1240

(e) Conduct in-home supervision of a child who is the 1241  
subject of the host family agreement while the agreement is in 1242  
force as follows: 1243

(i) For shorter hostings, within forty-eight hours of 1244  
placement and then at least once a week thereafter; 1245

(ii) For longer hostings, an option for less frequent supervision, as determined in accordance with the best interests of the child. 1246  
1247  
1248

(f) Plans for the return of the child who is the subject of the host family agreement to the child's parents. 1249  
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(3) "Temporary basis" means a period of time not to exceed one year, except as provided in section 2151.901 of the Revised Code. 1251  
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1253

(B) A child may be hosted by a host family only when all of the following conditions are satisfied: 1254  
1255

(1) The hosting is done on a temporary basis. 1256

(2) The hosting is done under a host family agreement entered into with a qualified organization's assistance. 1257  
1258

(3) Either one or both parents are incarcerated, incapacitated, receiving medical, psychiatric, or psychological treatment, on active military service, or subject to other circumstances under which the hosting is appropriate. 1259  
1260  
1261  
1262

(4) The host family provides care only to that child or only to a single-family group, in addition to the host family's own child or children if applicable. 1263  
1264  
1265

(5) The host family possesses a current American red cross, American heart association, or equivalent first aid and cardiopulmonary resuscitation certification. 1266  
1267  
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Sec. 2151.901. A juvenile court may alter the period during which a host family agreement is in effect if the court determines there are extenuating circumstances. 1269  
1270  
1271

Sec. 2151.902. A public children services agency shall not 1272

file a complaint under section 2151.27 of the Revised Code 1273  
because a child is hosted by a host family in compliance with 1274  
section 2151.90 of the Revised Code, unless the agency 1275  
determines that factors other than the hosting warrant filing 1276  
the complaint. 1277

**Sec. 2151.903.** The presumption that a child hosted under a 1278  
host family is abandoned under section 2151.011 of the Revised 1279  
Code may be rebutted if the hosting complied with section 1280  
2151.90 of the Revised Code. 1281

**Sec. 2151.904.** (A) Before a qualified organization 1282  
provides for hosting of a child with a host family and every 1283  
four years thereafter, the administrative director of the 1284  
organization shall request the superintendent of the bureau of 1285  
criminal identification and investigation to conduct a criminal 1286  
records check with respect to the host family and with respect 1287  
to all other persons eighteen years of age or older who reside 1288  
in the home. 1289

(B) When the administrative director of an organization 1290  
requests a criminal records check for a person under division 1291  
(A) of this section before the organization provides for hosting 1292  
of a child with a host family, the administrative director shall 1293  
request that the superintendent of the bureau of criminal 1294  
identification and investigation obtain information from the 1295  
federal bureau of investigation as part of the criminal records 1296  
check, including fingerprint-based checks of national crime 1297  
information databases as described in 42 U.S.C. 671. In all 1298  
other cases in which the administrative director of an 1299  
organization requests a criminal records check under division 1300  
(A) of this section, the administrative director may request 1301  
that the superintendent of the bureau of criminal identification 1302

and investigation include information from the federal bureau of 1303  
investigation in the criminal records check, including 1304  
fingerprint-based checks of national crime information databases 1305  
as described in 42 U.S.C. 671. 1306

**Sec. 2151.905.** (A) An administrative director of a 1307  
qualified organization required by division (A) of section 1308  
2151.904 of the Revised Code to request a criminal records check 1309  
shall provide to each person subject to the criminal records 1310  
check a copy of the form prescribed under division (C)(1) of 1311  
section 109.572 of the Revised Code and a standard impression 1312  
sheet to obtain fingerprint impressions prescribed under 1313  
division (C)(2) of that section, obtain the completed form and 1314  
impression sheet from the person, and forward the completed form 1315  
and impression sheet to the superintendent of the bureau of 1316  
criminal identification and investigation at the time the 1317  
criminal records check is requested. 1318

(B) Any person subject to a criminal records check who 1319  
receives a copy of the form prescribed under division (C)(1) of 1320  
section 109.572 of the Revised Code and a copy of an impression 1321  
sheet prescribed under division (C)(2) of that section and who 1322  
is requested to complete the form and provide a set of 1323  
fingerprint impressions shall complete the form or provide all 1324  
the information necessary to complete the form and shall provide 1325  
the impression sheet with the impressions of the person's 1326  
fingerprints. If a person subject to a criminal records check, 1327  
upon request, fails to provide the information necessary to 1328  
complete the form or fails to provide impressions of the 1329  
person's fingerprints, the organization shall not authorize 1330  
hosting with the host family. 1331

**Sec. 2151.906.** A qualified organization shall not 1332

authorize hosting with a host family if any person eighteen 1333  
years of age or older who resides with the prospective host 1334  
family previously has been convicted of or pleaded guilty to any 1335  
of the violations described in division (A) (4) of section 1336  
109.572 of the Revised Code, unless all of the following 1337  
conditions are satisfied: 1338

(A) If the offense was a misdemeanor, or would be a 1339  
misdemeanor if the conviction occurred at the time that hosting 1340  
is being considered, at least three years have elapsed from the 1341  
date the person was fully discharged from any imprisonment or 1342  
probation arising from the conviction. 1343

(B) If the offense was a felony, at least ten years have 1344  
elapsed since the person was fully discharged from imprisonment 1345  
or probation arising from the conviction. 1346

(C) The victim of the offense was not one of the 1347  
following: 1348

(1) A person under the age of eighteen; 1349

(2) A functionally impaired person as defined in section 1350  
2903.10 of the Revised Code; 1351

(3) A person with a developmental disability as defined in 1352  
section 5123.01 of the Revised Code; 1353

(4) A person with a mental illness as defined in section 1354  
5122.01 of the Revised Code; 1355

(5) A person sixty years of age or older. 1356

(D) Hosting in the host family's home will not jeopardize 1357  
in any way the health, safety, or welfare of the child to be 1358  
hosted. The following factors shall be considered in determining 1359  
whether this condition is satisfied: 1360

<u>(1) The person's age at the time of the offense;</u>	1361
<u>(2) The nature and seriousness of the offense;</u>	1362
<u>(3) The circumstances under which the offense was committed;</u>	1363 1364
<u>(4) The degree of participation of the person involved in the offense;</u>	1365 1366
<u>(5) The time elapsed since the person was fully discharged from imprisonment or probation;</u>	1367 1368
<u>(6) The likelihood that the circumstances leading to the offense will recur;</u>	1369 1370
<u>(7) Whether the person is a repeat offender;</u>	1371
<u>(8) The person's employment record;</u>	1372
<u>(9) The person's efforts at rehabilitation and the results of those efforts;</u>	1373 1374
<u>(10) Whether any criminal proceedings are pending against the person;</u>	1375 1376
<u>(11) Any other factors the qualified agency considers relevant.</u>	1377 1378
<b><u>Sec. 2151.907.</u></b> <u>The report of any criminal records check conducted by the bureau of criminal identification and investigation in accordance with section 109.572 of the Revised Code and pursuant to a request made under section 2151.904 of the Revised Code is not a public record for the purposes of section 149.43 of the Revised Code and shall not be made available to any person other than the following:</u>	1379 1380 1381 1382 1383 1384 1385
<u>(A) The person who is the subject of the criminal records check or the person's representative;</u>	1386 1387

(B) The administrative director of the qualified organization that requested the criminal records check or the director's representative; 1388  
1389  
1390

(C) Any court, hearing officer, or other necessary individual involved in a case regarding a qualified organization's decision not to authorize hosting with the host family to which either of the following apply: 1391  
1392  
1393  
1394

(1) The host family was subject to the criminal records check. 1395  
1396

(2) The host family resided with the person subject to the criminal records check. 1397  
1398

**Sec. 2151.908.** A qualified organization shall develop and implement written policies and procedures for employees, including policies and procedures on all of the following topics: 1399  
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1401  
1402

(A) Familiarization of the employee with emergency and safety procedures; 1403  
1404

(B) The principles and practices of child care; 1405

(C) Administrative structure, procedures, and overall program goals of the qualified organization; 1406  
1407

(D) Appropriate techniques of behavior management; 1408

(E) Techniques and methodologies for crisis management; 1409

(F) Familiarization of the employee with the disciplinary procedures outlined in rule 5101:2-9-21 of the Ohio Administrative Code, the discipline and behavior intervention policies required by rule 5101:2-5-13 of the Ohio Administrative Code, and any other similar requirements; 1410  
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<u>(G) Procedures for reporting suspected child abuse or neglect under section 2151.421 of the Revised Code;</u>	1415 1416
<u>(H) An emergency medical plan;</u>	1417
<u>(I) Universal precautions;</u>	1418
<u>(J) Knowledge and skills to understand and address the issues confronting adolescents.</u>	1419 1420
<b><u>Sec. 2151.909.</u></b> <u>A qualified organization shall develop and implement written policies and procedures for host family training. Training shall include all of the following topics:</u>	1421 1422 1423
<u>(A) The legal rights and responsibilities of host families;</u>	1424 1425
<u>(B) The qualified organization's policies and procedures regarding host families;</u>	1426 1427
<u>(C) The effects that separation and attachment issues have on children and their families;</u>	1428 1429
<u>(D) The effects of physical abuse, sexual abuse, emotional abuse, neglect, and substance abuse on normal human growth and development, as well as information on reporting child abuse and neglect;</u>	1430 1431 1432 1433
<u>(E) Behavior management techniques;</u>	1434
<u>(F) Cultural competence;</u>	1435
<u>(G) Prevention, recognition, and management of communicable diseases;</u>	1436 1437
<u>(H) Community health and social services available to children and their families;</u>	1438 1439
<u>(I) Training on appropriate and positive behavioral</u>	1440

<u>intervention techniques;</u>	1441
<u>(J) Education advocacy training.</u>	1442
<u>Sec. 2151.9010. A host family shall not be subject to</u>	1443
<u>certification or supervision by the director of job and family</u>	1444
<u>services under section 5103.03 of the Revised Code.</u>	1445
<u>Sec. 5103.02. As used in sections 5103.03 to 5103.17 of</u>	1446
the Revised Code:	1447
(A) (1) "Association" or "institution" includes all of the	1448
following:	1449
(a) Any incorporated or unincorporated organization,	1450
society, association, or agency, public or private, that	1451
receives or cares for children for two or more consecutive	1452
weeks;	1453
(b) Any individual, including the operator of a foster	1454
home, who, for hire, gain, or reward, receives or cares for	1455
children for two or more consecutive weeks, unless the	1456
individual is related to them by blood or marriage;	1457
(c) Any individual not in the regular employ of a court,	1458
or of an institution or association certified in accordance with	1459
section 5103.03 of the Revised Code, who in any manner becomes a	1460
party to the placing of children in foster homes, unless the	1461
individual is related to such children by blood or marriage or	1462
is the appointed guardian of such children;	1463
<u>(d) A qualified organization as defined in section 2151.90</u>	1464
<u>of the Revised Code.</u>	1465
(2) "Association" or "institution" does not include any of	1466
the following:	1467

- (a) Any organization, society, association, school, 1468  
agency, child guidance center, detention or rehabilitation 1469  
facility, or children's clinic licensed, regulated, approved, 1470  
operated under the direction of, or otherwise certified by the 1471  
department of education, a local board of education, the 1472  
department of youth services, the department of mental health 1473  
and addiction services, or the department of developmental 1474  
disabilities; 1475
- (b) Any individual who provides care for only a single- 1476  
family group, placed there by their parents or other relative 1477  
having custody; 1478
- (c) A private, nonprofit therapeutic wilderness camp. 1479
- (B) "Family foster home" means a foster home that is not a 1480  
specialized foster home. 1481
- (C) "Foster caregiver" means a person holding a valid 1482  
foster home certificate issued under section 5103.03 of the 1483  
Revised Code. 1484
- (D) "Foster home" means a private residence in which 1485  
children are received apart from their parents, guardian, or 1486  
legal custodian, by an individual reimbursed for providing the 1487  
children nonsecure care, supervision, or training twenty-four 1488  
hours a day. "Foster home" does not include care provided for a 1489  
child in the home of a person other than the child's parent, 1490  
guardian, or legal custodian while the parent, guardian, or 1491  
legal custodian is temporarily away. Family foster homes and 1492  
specialized foster homes are types of foster homes. 1493
- (E) "Medically fragile foster home" means a foster home 1494  
that provides specialized medical services designed to meet the 1495  
needs of children with intensive health care needs who meet all 1496

of the following criteria: 1497

(1) Under rules adopted by the medicaid director governing 1498  
medicaid payments for long-term care services, the children 1499  
require a skilled level of care. 1500

(2) The children require the services of a doctor of 1501  
medicine or osteopathic medicine at least once a week due to the 1502  
instability of their medical conditions. 1503

(3) The children require the services of a registered 1504  
nurse on a daily basis. 1505

(4) The children are at risk of institutionalization in a 1506  
hospital, skilled nursing facility, or intermediate care 1507  
facility for individuals with intellectual disabilities. 1508

(F) "Private, nonprofit therapeutic wilderness camp" means 1509  
a structured, alternative residential setting for children who 1510  
are experiencing emotional, behavioral, moral, social, or 1511  
learning difficulties at home or school in which all of the 1512  
following are the case: 1513

(1) The children spend the majority of their time, 1514  
including overnight, either outdoors or in a primitive 1515  
structure. 1516

(2) The children have been placed there by their parents 1517  
or another relative having custody. 1518

(3) The camp accepts no public funds for use in its 1519  
operations. 1520

(G) "Recommending agency" means a public children services 1521  
agency, private child placing agency, or private noncustodial 1522  
agency that recommends that the department of job and family 1523  
services take any of the following actions under section 5103.03 1524

of the Revised Code regarding a foster home:	1525
(1) Issue a certificate;	1526
(2) Deny a certificate;	1527
(3) Renew a certificate;	1528
(4) Deny renewal of a certificate;	1529
(5) Revoke a certificate.	1530
(H) "Specialized foster home" means a medically fragile foster home or a treatment foster home.	1531 1532
(I) "Treatment foster home" means a foster home that incorporates special rehabilitative services designed to treat the specific needs of the children received in the foster home and that receives and cares for children who are emotionally or behaviorally disturbed, who are chemically dependent, who have developmental disabilities, or who otherwise have exceptional needs.	1533 1534 1535 1536 1537 1538 1539
<b>Section 2.</b> That existing sections 109.572, 2151.421, and 5103.02 of the Revised Code are hereby repealed.	1540 1541
<b>Section 3.</b> Section 109.572 of the Revised Code is presented in section 1 of this act as a composite of the section as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, Am. Sub. S.B. 51, Sub. S.B. 229, and Am. Sub. S.B. 255, all of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.	1542 1543 1544 1545 1546 1547 1548 1549 1550 1551

**Section 4.** That the version of section 109.572 of the Revised Code that is scheduled to take effect on September 20, 2019, be amended to read as follows:

**Sec. 109.572.** (A) (1) Upon receipt of a request pursuant to section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A) (1) (a) of this section;

(c) If the request is made pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, any offense specified in section 3319.31 of the Revised Code.

(2) On receipt of a request pursuant to section 3712.09 or 3721.121 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for employment in a position for which a criminal records check is required by those sections. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A) (2) (a) of this section.

(3) On receipt of a request pursuant to section 173.27, 173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 5123.081, or 5123.169 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check of the person for whom the request is made. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of, has pleaded guilty to, or (except in the case of a request pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised Code) has been found eligible for intervention in lieu of conviction for any of the following, regardless of the date of the conviction, the date of entry of the guilty plea, or (except in the case of a request pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised Code) the date the person was found eligible for intervention in lieu of conviction:

(a) A violation of section 959.13, 959.131, 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31,



2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 1643  
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 1644  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 1645  
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 1646  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 1647  
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1648  
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 1649  
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 1650  
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 1651  
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 1652  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 1653  
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 1654  
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code; 1655

(b) Felonious sexual penetration in violation of former 1656  
section 2907.12 of the Revised Code; 1657

(c) A violation of section 2905.04 of the Revised Code as 1658  
it existed prior to July 1, 1996; 1659

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 1660  
the Revised Code when the underlying offense that is the object 1661  
of the conspiracy, attempt, or complicity is one of the offenses 1662  
listed in divisions (A) (3) (a) to (c) of this section; 1663

(e) A violation of an existing or former municipal 1664  
ordinance or law of this state, any other state, or the United 1665  
States that is substantially equivalent to any of the offenses 1666  
listed in divisions (A) (3) (a) to (d) of this section. 1667

(4) On receipt of a request pursuant to section 2151.86 or 1668  
2151.904 of the Revised Code, a completed form prescribed 1669  
pursuant to division (C) (1) of this section, and a set of 1670  
fingerprint impressions obtained in the manner described in 1671

division (C)(2) of this section, the superintendent of the 1672  
bureau of criminal identification and investigation shall 1673  
conduct a criminal records check in the manner described in 1674  
division (B) of this section to determine whether any 1675  
information exists that indicates that the person who is the 1676  
subject of the request previously has been convicted of or 1677  
pleaded guilty to any of the following: 1678

(a) A violation of section 959.13, 2903.01, 2903.02, 1679  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 1680  
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 1681  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1682  
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 1683  
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 1684  
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 1685  
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 1686  
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 1687  
2927.12, or 3716.11 of the Revised Code, a violation of section 1688  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1689  
a violation of section 2919.23 of the Revised Code that would 1690  
have been a violation of section 2905.04 of the Revised Code as 1691  
it existed prior to July 1, 1996, had the violation been 1692  
committed prior to that date, a violation of section 2925.11 of 1693  
the Revised Code that is not a minor drug possession offense, 1694  
two or more OVI or OVUAC violations committed within the three 1695  
years immediately preceding the submission of the application or 1696  
petition that is the basis of the request, or felonious sexual 1697  
penetration in violation of former section 2907.12 of the 1698  
Revised Code; 1699

(b) A violation of an existing or former law of this 1700  
state, any other state, or the United States that is 1701  
substantially equivalent to any of the offenses listed in 1702

division (A) (4) (a) of this section. 1703

(5) Upon receipt of a request pursuant to section 5104.013 1704  
of the Revised Code, a completed form prescribed pursuant to 1705  
division (C) (1) of this section, and a set of fingerprint 1706  
impressions obtained in the manner described in division (C) (2) 1707  
of this section, the superintendent of the bureau of criminal 1708  
identification and investigation shall conduct a criminal 1709  
records check in the manner described in division (B) of this 1710  
section to determine whether any information exists that 1711  
indicates that the person who is the subject of the request has 1712  
been convicted of or pleaded guilty to any of the following: 1713

(a) A violation of section 2151.421, 2903.01, 2903.02, 1714  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 1715  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 1716  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1717  
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 1718  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 1719  
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 1720  
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 1721  
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 1722  
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 1723  
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1724  
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 1725  
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 1726  
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 1727  
3716.11 of the Revised Code, felonious sexual penetration in 1728  
violation of former section 2907.12 of the Revised Code, a 1729  
violation of section 2905.04 of the Revised Code as it existed 1730  
prior to July 1, 1996, a violation of section 2919.23 of the 1731  
Revised Code that would have been a violation of section 2905.04 1732  
of the Revised Code as it existed prior to July 1, 1996, had the 1733

violation been committed prior to that date, a violation of 1734  
section 2925.11 of the Revised Code that is not a minor drug 1735  
possession offense, a violation of section 2923.02 or 2923.03 of 1736  
the Revised Code that relates to a crime specified in this 1737  
division, or a second violation of section 4511.19 of the 1738  
Revised Code within five years of the date of application for 1739  
licensure or certification. 1740

(b) A violation of an existing or former law of this 1741  
state, any other state, or the United States that is 1742  
substantially equivalent to any of the offenses or violations 1743  
described in division (A) (5) (a) of this section. 1744

(6) Upon receipt of a request pursuant to section 5153.111 1745  
of the Revised Code, a completed form prescribed pursuant to 1746  
division (C) (1) of this section, and a set of fingerprint 1747  
impressions obtained in the manner described in division (C) (2) 1748  
of this section, the superintendent of the bureau of criminal 1749  
identification and investigation shall conduct a criminal 1750  
records check in the manner described in division (B) of this 1751  
section to determine whether any information exists that 1752  
indicates that the person who is the subject of the request 1753  
previously has been convicted of or pleaded guilty to any of the 1754  
following: 1755

(a) A violation of section 2903.01, 2903.02, 2903.03, 1756  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1757  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 1758  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 1759  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 1760  
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 1761  
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 1762  
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 1763

Code, felonious sexual penetration in violation of former 1764  
section 2907.12 of the Revised Code, a violation of section 1765  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1766  
a violation of section 2919.23 of the Revised Code that would 1767  
have been a violation of section 2905.04 of the Revised Code as 1768  
it existed prior to July 1, 1996, had the violation been 1769  
committed prior to that date, or a violation of section 2925.11 1770  
of the Revised Code that is not a minor drug possession offense; 1771

(b) A violation of an existing or former law of this 1772  
state, any other state, or the United States that is 1773  
substantially equivalent to any of the offenses listed in 1774  
division (A) (6) (a) of this section. 1775

(7) On receipt of a request for a criminal records check 1776  
from an individual pursuant to section 4749.03 or 4749.06 of the 1777  
Revised Code, accompanied by a completed copy of the form 1778  
prescribed in division (C) (1) of this section and a set of 1779  
fingerprint impressions obtained in a manner described in 1780  
division (C) (2) of this section, the superintendent of the 1781  
bureau of criminal identification and investigation shall 1782  
conduct a criminal records check in the manner described in 1783  
division (B) of this section to determine whether any 1784  
information exists indicating that the person who is the subject 1785  
of the request has been convicted of or pleaded guilty to a 1786  
felony in this state or in any other state. If the individual 1787  
indicates that a firearm will be carried in the course of 1788  
business, the superintendent shall require information from the 1789  
federal bureau of investigation as described in division (B) (2) 1790  
of this section. Subject to division (F) of this section, the 1791  
superintendent shall report the findings of the criminal records 1792  
check and any information the federal bureau of investigation 1793  
provides to the director of public safety. 1794

(8) On receipt of a request pursuant to section 1321.37, 1795  
1321.53, or 4763.05 of the Revised Code, a completed form 1796  
prescribed pursuant to division (C)(1) of this section, and a 1797  
set of fingerprint impressions obtained in the manner described 1798  
in division (C)(2) of this section, the superintendent of the 1799  
bureau of criminal identification and investigation shall 1800  
conduct a criminal records check with respect to any person who 1801  
has applied for a license, permit, or certification from the 1802  
department of commerce or a division in the department. The 1803  
superintendent shall conduct the criminal records check in the 1804  
manner described in division (B) of this section to determine 1805  
whether any information exists that indicates that the person 1806  
who is the subject of the request previously has been convicted 1807  
of or pleaded guilty to any of the following: a violation of 1808  
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 1809  
Revised Code; any other criminal offense involving theft, 1810  
receiving stolen property, embezzlement, forgery, fraud, passing 1811  
bad checks, money laundering, or drug trafficking, or any 1812  
criminal offense involving money or securities, as set forth in 1813  
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 1814  
the Revised Code; or any existing or former law of this state, 1815  
any other state, or the United States that is substantially 1816  
equivalent to those offenses. 1817

(9) On receipt of a request for a criminal records check 1818  
from the treasurer of state under section 113.041 of the Revised 1819  
Code or from an individual under section 4701.08, 4715.101, 1820  
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 1821  
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 1822  
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 1823  
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 1824  
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 1825

4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 1826  
4779.091, or 4783.04 of the Revised Code, accompanied by a 1827  
completed form prescribed under division (C)(1) of this section 1828  
and a set of fingerprint impressions obtained in the manner 1829  
described in division (C)(2) of this section, the superintendent 1830  
of the bureau of criminal identification and investigation shall 1831  
conduct a criminal records check in the manner described in 1832  
division (B) of this section to determine whether any 1833  
information exists that indicates that the person who is the 1834  
subject of the request has been convicted of or pleaded guilty 1835  
to any criminal offense in this state or any other state. 1836  
Subject to division (F) of this section, the superintendent 1837  
shall send the results of a check requested under section 1838  
113.041 of the Revised Code to the treasurer of state and shall 1839  
send the results of a check requested under any of the other 1840  
listed sections to the licensing board specified by the 1841  
individual in the request. 1842

(10) On receipt of a request pursuant to section 124.74, 1843  
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 1844  
completed form prescribed pursuant to division (C)(1) of this 1845  
section, and a set of fingerprint impressions obtained in the 1846  
manner described in division (C)(2) of this section, the 1847  
superintendent of the bureau of criminal identification and 1848  
investigation shall conduct a criminal records check in the 1849  
manner described in division (B) of this section to determine 1850  
whether any information exists that indicates that the person 1851  
who is the subject of the request previously has been convicted 1852  
of or pleaded guilty to any criminal offense under any existing 1853  
or former law of this state, any other state, or the United 1854  
States. 1855

(11) On receipt of a request for a criminal records check 1856

from an appointing or licensing authority under section 3772.07 1857  
of the Revised Code, a completed form prescribed under division 1858  
(C) (1) of this section, and a set of fingerprint impressions 1859  
obtained in the manner prescribed in division (C) (2) of this 1860  
section, the superintendent of the bureau of criminal 1861  
identification and investigation shall conduct a criminal 1862  
records check in the manner described in division (B) of this 1863  
section to determine whether any information exists that 1864  
indicates that the person who is the subject of the request 1865  
previously has been convicted of or pleaded guilty or no contest 1866  
to any offense under any existing or former law of this state, 1867  
any other state, or the United States that is a disqualifying 1868  
offense as defined in section 3772.07 of the Revised Code or 1869  
substantially equivalent to such an offense. 1870

(12) On receipt of a request pursuant to section 2151.33 1871  
or 2151.412 of the Revised Code, a completed form prescribed 1872  
pursuant to division (C) (1) of this section, and a set of 1873  
fingerprint impressions obtained in the manner described in 1874  
division (C) (2) of this section, the superintendent of the 1875  
bureau of criminal identification and investigation shall 1876  
conduct a criminal records check with respect to any person for 1877  
whom a criminal records check is required under that section. 1878  
The superintendent shall conduct the criminal records check in 1879  
the manner described in division (B) of this section to 1880  
determine whether any information exists that indicates that the 1881  
person who is the subject of the request previously has been 1882  
convicted of or pleaded guilty to any of the following: 1883

(a) A violation of section 2903.01, 2903.02, 2903.03, 1884  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1885  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 1886  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 1887



2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 1888  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 1889  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 1890  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 1891  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 1892

(b) An existing or former law of this state, any other 1893  
state, or the United States that is substantially equivalent to 1894  
any of the offenses listed in division (A) (12) (a) of this 1895  
section. 1896

(13) On receipt of a request pursuant to section 3796.12 1897  
of the Revised Code, a completed form prescribed pursuant to 1898  
division (C) (1) of this section, and a set of fingerprint 1899  
impressions obtained in a manner described in division (C) (2) of 1900  
this section, the superintendent of the bureau of criminal 1901  
identification and investigation shall conduct a criminal 1902  
records check in the manner described in division (B) of this 1903  
section to determine whether any information exists that 1904  
indicates that the person who is the subject of the request 1905  
previously has been convicted of or pleaded guilty to the 1906  
following: 1907

(a) A disqualifying offense as specified in rules adopted 1908  
under division (B) (2) (b) of section 3796.03 of the Revised Code 1909  
if the person who is the subject of the request is an 1910  
administrator or other person responsible for the daily 1911  
operation of, or an owner or prospective owner, officer or 1912  
prospective officer, or board member or prospective board member 1913  
of, an entity seeking a license from the department of commerce 1914  
under Chapter 3796. of the Revised Code; 1915

(b) A disqualifying offense as specified in rules adopted 1916  
under division (B) (2) (b) of section 3796.04 of the Revised Code 1917

if the person who is the subject of the request is an 1918  
administrator or other person responsible for the daily 1919  
operation of, or an owner or prospective owner, officer or 1920  
prospective officer, or board member or prospective board member 1921  
of, an entity seeking a license from the state board of pharmacy 1922  
under Chapter 3796. of the Revised Code. 1923

(14) On receipt of a request required by section 3796.13 1924  
of the Revised Code, a completed form prescribed pursuant to 1925  
division (C)(1) of this section, and a set of fingerprint 1926  
impressions obtained in a manner described in division (C)(2) of 1927  
this section, the superintendent of the bureau of criminal 1928  
identification and investigation shall conduct a criminal 1929  
records check in the manner described in division (B) of this 1930  
section to determine whether any information exists that 1931  
indicates that the person who is the subject of the request 1932  
previously has been convicted of or pleaded guilty to the 1933  
following: 1934

(a) A disqualifying offense as specified in rules adopted 1935  
under division (B)(8)(a) of section 3796.03 of the Revised Code 1936  
if the person who is the subject of the request is seeking 1937  
employment with an entity licensed by the department of commerce 1938  
under Chapter 3796. of the Revised Code; 1939

(b) A disqualifying offense as specified in rules adopted 1940  
under division (B)(14)(a) of section 3796.04 of the Revised Code 1941  
if the person who is the subject of the request is seeking 1942  
employment with an entity licensed by the state board of 1943  
pharmacy under Chapter 3796. of the Revised Code. 1944

(15) On receipt of a request pursuant to section 4768.06 1945  
of the Revised Code, a completed form prescribed under division 1946  
(C)(1) of this section, and a set of fingerprint impressions 1947

obtained in the manner described in division (C) (2) of this 1948  
section, the superintendent of the bureau of criminal 1949  
identification and investigation shall conduct a criminal 1950  
records check in the manner described in division (B) of this 1951  
section to determine whether any information exists indicating 1952  
that the person who is the subject of the request has been 1953  
convicted of or pleaded guilty to a felony in this state or in 1954  
any other state. 1955

(16) On receipt of a request pursuant to division (B) of 1956  
section 4764.07 of the Revised Code, a completed form prescribed 1957  
under division (C) (1) of this section, and a set of fingerprint 1958  
impressions obtained in the manner described in division (C) (2) 1959  
of this section, the superintendent of the bureau of criminal 1960  
identification and investigation shall conduct a criminal 1961  
records check in the manner described in division (B) of this 1962  
section to determine whether any information exists indicating 1963  
that the person who is the subject of the request has been 1964  
convicted of or pleaded guilty to any crime of moral turpitude, 1965  
a felony, or an equivalent offense in any other state or the 1966  
United States. 1967

(17) On receipt of a request for a criminal records check 1968  
under section 147.022 of the Revised Code, a completed form 1969  
prescribed under division (C) (1) of this section, and a set of 1970  
fingerprint impressions obtained in the manner prescribed in 1971  
division (C) (2) of this section, the superintendent of the 1972  
bureau of criminal identification and investigation shall 1973  
conduct a criminal records check in the manner described in 1974  
division (B) of this section to determine whether any 1975  
information exists that indicates that the person who is the 1976  
subject of the request previously has been convicted of or 1977  
pleaded guilty or no contest to any disqualifying offense, as 1978

defined in section 147.011 of the Revised Code, or to any 1979  
offense under any existing or former law of this state, any 1980  
other state, or the United States that is substantially 1981  
equivalent to such a disqualifying offense. 1982

(B) Subject to division (F) of this section, the 1983  
superintendent shall conduct any criminal records check to be 1984  
conducted under this section as follows: 1985

(1) The superintendent shall review or cause to be 1986  
reviewed any relevant information gathered and compiled by the 1987  
bureau under division (A) of section 109.57 of the Revised Code 1988  
that relates to the person who is the subject of the criminal 1989  
records check, including, if the criminal records check was 1990  
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 1991  
173.381, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 1992  
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 1993  
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 1994  
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 1995  
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 1996  
the Revised Code, any relevant information contained in records 1997  
that have been sealed under section 2953.32 of the Revised Code; 1998

(2) If the request received by the superintendent asks for 1999  
information from the federal bureau of investigation, the 2000  
superintendent shall request from the federal bureau of 2001  
investigation any information it has with respect to the person 2002  
who is the subject of the criminal records check, including 2003  
fingerprint-based checks of national crime information databases 2004  
as described in 42 U.S.C. 671 if the request is made pursuant to 2005  
section 2151.86 or 5104.013 of the Revised Code or if any other 2006  
Revised Code section requires fingerprint-based checks of that 2007  
nature, and shall review or cause to be reviewed any information 2008

the superintendent receives from that bureau. If a request under section 3319.39 of the Revised Code asks only for information from the federal bureau of investigation, the superintendent shall not conduct the review prescribed by division (B) (1) of this section.

(3) The superintendent or the superintendent's designee may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code.

(4) The superintendent shall include in the results of the criminal records check a list or description of the offenses listed or described in division (A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), or (17) of this section, whichever division requires the superintendent to conduct the criminal records check. The superintendent shall exclude from the results any information the dissemination of which is prohibited by federal law.

(5) The superintendent shall send the results of the criminal records check to the person to whom it is to be sent not later than the following number of days after the date the superintendent receives the request for the criminal records check, the completed form prescribed under division (C) (1) of this section, and the set of fingerprint impressions obtained in the manner described in division (C) (2) of this section:

(a) If the superintendent is required by division (A) of this section (other than division (A) (3) of this section) to conduct the criminal records check, thirty;

(b) If the superintendent is required by division (A) (3)

of this section to conduct the criminal records check, sixty. 2038

(C) (1) The superintendent shall prescribe a form to obtain 2039  
the information necessary to conduct a criminal records check 2040  
from any person for whom a criminal records check is to be 2041  
conducted under this section. The form that the superintendent 2042  
prescribes pursuant to this division may be in a tangible 2043  
format, in an electronic format, or in both tangible and 2044  
electronic formats. 2045

(2) The superintendent shall prescribe standard impression 2046  
sheets to obtain the fingerprint impressions of any person for 2047  
whom a criminal records check is to be conducted under this 2048  
section. Any person for whom a records check is to be conducted 2049  
under this section shall obtain the fingerprint impressions at a 2050  
county sheriff's office, municipal police department, or any 2051  
other entity with the ability to make fingerprint impressions on 2052  
the standard impression sheets prescribed by the superintendent. 2053  
The office, department, or entity may charge the person a 2054  
reasonable fee for making the impressions. The standard 2055  
impression sheets the superintendent prescribes pursuant to this 2056  
division may be in a tangible format, in an electronic format, 2057  
or in both tangible and electronic formats. 2058

(3) Subject to division (D) of this section, the 2059  
superintendent shall prescribe and charge a reasonable fee for 2060  
providing a criminal records check under this section. The 2061  
person requesting the criminal records check shall pay the fee 2062  
prescribed pursuant to this division. In the case of a request 2063  
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 2064  
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 2065  
fee shall be paid in the manner specified in that section. 2066

(4) The superintendent of the bureau of criminal 2067

identification and investigation may prescribe methods of 2068  
forwarding fingerprint impressions and information necessary to 2069  
conduct a criminal records check, which methods shall include, 2070  
but not be limited to, an electronic method. 2071

(D) The results of a criminal records check conducted 2072  
under this section, other than a criminal records check 2073  
specified in division (A) (7) of this section, are valid for the 2074  
person who is the subject of the criminal records check for a 2075  
period of one year from the date upon which the superintendent 2076  
completes the criminal records check. If during that period the 2077  
superintendent receives another request for a criminal records 2078  
check to be conducted under this section for that person, the 2079  
superintendent shall provide the results from the previous 2080  
criminal records check of the person at a lower fee than the fee 2081  
prescribed for the initial criminal records check. 2082

(E) When the superintendent receives a request for 2083  
information from a registered private provider, the 2084  
superintendent shall proceed as if the request was received from 2085  
a school district board of education under section 3319.39 of 2086  
the Revised Code. The superintendent shall apply division (A) (1) 2087  
(c) of this section to any such request for an applicant who is 2088  
a teacher. 2089

(F) (1) Subject to division (F) (2) of this section, all 2090  
information regarding the results of a criminal records check 2091  
conducted under this section that the superintendent reports or 2092  
sends under division (A) (7) or (9) of this section to the 2093  
director of public safety, the treasurer of state, or the 2094  
person, board, or entity that made the request for the criminal 2095  
records check shall relate to the conviction of the subject 2096  
person, or the subject person's plea of guilty to, a criminal 2097

offense. 2098

(2) Division (F) (1) of this section does not limit, 2099  
restrict, or preclude the superintendent's release of 2100  
information that relates to the arrest of a person who is 2101  
eighteen years of age or older, to an adjudication of a child as 2102  
a delinquent child, or to a criminal conviction of a person 2103  
under eighteen years of age in circumstances in which a release 2104  
of that nature is authorized under division (E) (2), (3), or (4) 2105  
of section 109.57 of the Revised Code pursuant to a rule adopted 2106  
under division (E) (1) of that section. 2107

(G) As used in this section: 2108

(1) "Criminal records check" means any criminal records 2109  
check conducted by the superintendent of the bureau of criminal 2110  
identification and investigation in accordance with division (B) 2111  
of this section. 2112

(2) "Minor drug possession offense" has the same meaning 2113  
as in section 2925.01 of the Revised Code. 2114

(3) "OVI or OVUAC violation" means a violation of section 2115  
4511.19 of the Revised Code or a violation of an existing or 2116  
former law of this state, any other state, or the United States 2117  
that is substantially equivalent to section 4511.19 of the 2118  
Revised Code. 2119

(4) "Registered private provider" means a nonpublic school 2120  
or entity registered with the superintendent of public 2121  
instruction under section 3310.41 of the Revised Code to 2122  
participate in the autism scholarship program or section 3310.58 2123  
of the Revised Code to participate in the Jon Peterson special 2124  
needs scholarship program. 2125

**Section 5.** That existing section 109.572 of the Revised 2126



Code that is scheduled to take effect September 20, 2019, is	2127
hereby repealed.	2128
<b>Section 6.</b> That Sections 4, 5, and 7 of this act shall	2129
take effect September 20, 2019.	2130
<b>Section 7.</b> Section 109.572 of the Revised Code is	2131
presented in section 4 of this act as a composite of the section	2132
as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213,	2133
Am. Sub. S.B. 51, Sub. S.B. 229, Am. Sub. S.B. 255, and Sub.	2134
S.B. 263, all of the 132nd General Assembly. The General	2135
Assembly, applying the principle stated in division (B) of	2136
section 1.52 of the Revised Code that amendments are to be	2137
harmonized if reasonably capable of simultaneous operation,	2138
finds that the composite is the resulting version of the section	2139
in effect prior to the effective date of the section as	2140
presented in this act.	2141