

As Introduced

131st General Assembly

Regular Session

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H. B. No. 213

Representative Brinkman

**Cosponsors: Representatives Hood, Boose, Becker, Brenner, Thompson, Terhar,
Blessing, Vitale, Green, Zeltwanger**

A BILL

To amend sections 1321.05, 1321.08, 1321.20, 1
1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 2
3773.36, 3773.42, 3773.43, 4707.071, 4707.10, 3
4725.16, 4725.17, 4725.171, 4725.34, 4725.51, 4
4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 5
4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 6
4735.14, 4735.141, 4735.27, 4735.29, 4736.11, 7
4736.12, 4740.04, 4740.05, 4740.06, 4747.05, 8
4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 9
4759.06, 4759.08, 4763.05, 4763.06, 4763.07, 10
4763.08, 4763.09, 4779.19, and 4779.23 of the 11
Revised Code to make occupational licenses 12
subject to annual renewal become biennial 13
licenses and to permit a licensee to take 14
continuing education courses online. 15

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

Section 1. That sections 1321.05, 1321.08, 1321.20, 16
1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 3773.36, 17
3773.42, 3773.43, 4707.071, 4707.10, 4725.16, 4725.17, 4725.171, 18

4725.34, 4725.51, 4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 19
4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 4735.14, 4735.141, 20
4735.27, 4735.29, 4736.11, 4736.12, 4740.04, 4740.05, 4740.06, 21
4747.05, 4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 4759.06, 22
4759.08, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4779.19, 23
and 4779.23 of the Revised Code be amended to read as follows: 24

Sec. 1321.05. Each license shall state the address at 25
which the business is to be conducted and shall state fully the 26
name of the licensee. Each license shall be kept conspicuously 27
posted in the place of business of the licensee and is not 28
transferable or assignable. 29

Each license shall remain in effect until surrendered, 30
revoked, or suspended under section 1321.08 or 3123.47 of the 31
Revised Code. Every licensee shall ~~each year~~ biennially pay to 32
the division of financial institutions a license fee and an 33
assessment as determined by the superintendent pursuant to 34
section 1321.20 of the Revised Code. Payment of such renewal fee 35
shall be according to the provisions of this section and the 36
standard renewal procedure of sections 4745.01 to 4745.03 of the 37
Revised Code. No other or further license fee or assessment 38
shall be required from any such licensee by the state or any 39
political subdivision in the state. 40

Every licensee shall maintain for each license current 41
assets of at least ten thousand dollars, either in use or 42
readily available for use in the conduct of the business. 43

Sec. 1321.08. In accordance with Chapter 119. of the 44
Revised Code: 45

(A) The division of financial institutions shall, upon 46
written notice to the licensee stating the contemplated action 47

and the grounds therefor, and upon reasonable opportunity to be 48
heard, suspend or revoke any license issued by the division if 49
it finds that: 50

(1) The licensee is in default in the payment of the 51
~~annual~~biennial license fee or assessment prescribed in section 52
1321.20 of the Revised Code or has failed to comply with any 53
order of the division made and entered under division (A) of 54
section 1321.10 of the Revised Code; 55

(2) The licensee has continued to violate any of the 56
provisions of sections 1321.01 to 1321.19 of the Revised Code or 57
any rule promulgated under division (A) of section 1321.10 of 58
the Revised Code after receiving notice of such violation or 59
violations from the division; 60

(3) Any fact or condition exists which if it had existed 61
or had been known to exist at the time of the original 62
application for such license, which fact or condition was not 63
then known to the division, clearly would have warranted the 64
division in refusing originally to issue such license. 65

(B) If the division finds that there exists probable cause 66
for the suspension or revocation of any license under division 67
(A) of this section and that enforcement of sections 1321.01 to 68
1321.19 of the Revised Code requires immediate suspension of the 69
license pending complete investigation, it may, upon three days' 70
written notice, and hearing, enter an order suspending the 71
license for a period not exceeding thirty days, during which 72
period of suspension no loans may be made under the license, but 73
the licensee may receive payments on existing loans. Upon 74
completion of such investigation the division shall either 75
reinstate the license or further suspend the license for a 76
further period or give the licensee notice of the contemplated 77

revocation of the license, the grounds for the revocation, and 78
the licensee's reasonable opportunity to be heard on the action 79
in accordance with Chapter 119. of the Revised Code. 80

(C) Any licensee may surrender any license by delivering 81
it to the division with written notice of its surrender. Such 82
surrender shall not affect the licensee's civil or criminal 83
liability for acts committed prior to the surrender. 84

(D) No revocation or suspension of any license shall 85
impair or affect the obligation of any pre-existing lawful 86
contract between the licensee and any borrower nor shall such 87
action affect the right of the licensee to collect the amounts 88
due under the contract, or to enforce the contract. 89

(E) The division may reinstate or issue a new license to a 90
person whose license has been revoked if no fact or condition 91
then exists which clearly would have warranted the division in 92
refusing originally to issue the license. 93

Sec. 1321.20. (A) Every person licensed or registered 94
under this chapter shall pay to the superintendent of financial 95
institutions, ~~prior to the last day of June, an annual~~ a license 96
or certificate of registration fee. A license under this chapter 97
shall be renewed biennially prior to the last day of June of the 98
expiration year and a certificate of registration under this 99
chapter shall be renewed annually prior to the last day of June 100
each year. On or about the fifteenth day of April of ~~each~~ the 101
expiration year, the superintendent shall determine the license 102
or certificate fees to be charged, pursuant to sections 1321.03, 103
1321.05, and 1321.73 of the Revised Code. Such determination 104
shall be made by dividing the appropriation for the consumer 105
finance section of the division of financial institutions for 106
the current fiscal year by the number of licenses and 107

certificates issued as of the date of the computation. In no 108
event shall the amount of the fee relating to a license exceed 109
~~three-six~~ hundred dollars, except that the maximum fee which may 110
be charged insurance premium finance companies licensed under 111
section 1321.73 of the Revised Code shall not exceed ~~three-seven~~ 112
hundred ~~seventy-five-fifty~~ dollars. In no event shall the amount 113
of the fee for a certificate of registration exceed three 114
hundred dollars. Prior to the first day of June of ~~each-the~~ 115
expiration year, the superintendent shall inform each person 116
licensed or registered under this chapter of the amount of the 117
license or certificate fee for the succeeding ~~fiscal year~~ 118
license or registration period as determined by this section. 119

~~(B) (1) Each person licensed under Chapter 4727. of the~~ 120
~~Revised Code who is subject to annual license renewal under~~ 121
~~division (E) (1) of section 4727.03 of the Revised Code shall,~~ 122
~~prior to the last day of June, pay to the superintendent a fee~~ 123
~~equal to twice the amount of the fee determined by the~~ 124
~~superintendent pursuant to division (A) of this section.~~ 125
~~However, in no event shall the amount of the fee exceed three~~ 126
~~hundred dollars.~~ 127

~~(2)~~ Each person licensed under Chapter 4727. of the 128
Revised Code who is subject to biennial license renewal under 129
division (E) ~~(2)~~ of section 4727.03 of the Revised Code shall, 130
prior to the date the license expires, pay to the superintendent 131
a fee equal to four times the amount of the fee determined by 132
the superintendent pursuant to division (A) of this section. 133
However, in no event shall the amount of the fee exceed six 134
hundred dollars. 135

(C) The fee for a license or certificate issued pursuant 136
to Chapter 4727. or 4728. of the Revised Code after the first 137

day of January of the year the license or certificate expires 138
shall be equal to one-half the amount determined according to 139
divisions (A) and (B) of this section or in accordance with 140
section 4728.03 of the Revised Code. 141

(D) If the renewal fees billed by the superintendent 142
pursuant to divisions (A) and (B) of this section are less than 143
the estimated expenditures of the consumer finance section of 144
the division of financial institutions, as determined by the 145
superintendent, for the following fiscal year, the 146
superintendent may assess each person licensed pursuant to 147
section 1321.04 of the Revised Code at a rate sufficient to 148
equal in the aggregate the difference between the renewal fees 149
billed and the estimated expenditures. Each person shall pay the 150
assessed amount to the superintendent prior to the last day of 151
June. In no case shall the assessment exceed ten cents per each 152
one hundred dollars of interest (excluding charge-off 153
recoveries), points, loan origination charges, and credit line 154
charges collected by that person during the previous calendar 155
year. If an assessment is imposed under this division, it shall 156
not be less than two hundred fifty dollars per licensee or 157
registrant and shall not exceed thirty thousand dollars less the 158
total renewal fees paid pursuant to division (A) of this section 159
by each licensee or registrant. 160

Sec. 1321.52. (A) (1) No person, on that person's own 161
behalf or on behalf of any other person, shall do any of the 162
following without having first obtained a certificate of 163
registration from the division of financial institutions: 164

(a) Advertise, solicit, or hold out that the person is 165
engaged in the business of making residential mortgage loans 166
secured by a mortgage on a borrower's real estate which is other 167

than a first lien on the real estate;	168
(b) Engage in the business of lending or collecting the person's own or another person's money, credit, or choses in action for non-first lien residential mortgage loans;	169 170 171
(c) Employ or compensate mortgage loan originators licensed or who should be licensed under sections 1321.51 to 1321.60 of the Revised Code to conduct the business of making residential mortgage loans;	172 173 174 175
(d) Make loans in this state of the type set forth in division (C) of this section that are unsecured or are secured by other than real property, which loans are for more than five thousand dollars at a rate of interest greater than permitted by section 1343.01 or other specific provisions of the Revised Code.	176 177 178 179 180 181
(2) Each person issued a certificate of registration or license is subject to all the rules prescribed under sections 1321.51 to 1321.60 of the Revised Code.	182 183 184
(B) (1) All loans made to persons who at the time are residents of this state are considered as made within this state and subject to the laws of this state, regardless of any statement in the contract or note to the contrary, except as follows:	185 186 187 188 189
(a) If the loan is primarily secured by a lien on real property in another state and is arranged by a mortgage loan originator licensed by that state, the borrower may by choice of law designate that the transaction be governed by the law where the real property is located if the other state has consumer protection laws covering the borrower that are applicable to the transaction.	190 191 192 193 194 195 196

(b) If the loan is for the purpose of purchasing goods 197
acquired by the borrower when the borrower is outside of this 198
state, the loan may be governed by the laws of the other state. 199

(2) Nothing in division (B) (1) of this section prevents a 200
choice of law or requires registration or licensure of persons 201
outside of this state in a transaction involving the 202
solicitation of residents of this state to obtain non-real 203
estate secured loans that require the borrowers to physically 204
visit a lender's out-of-state office to apply for and obtain the 205
disbursement of loan funds. 206

(C) A registrant may make unsecured loans, loans secured 207
by a mortgage on a borrower's real estate which is a first lien 208
or other than a first lien on the real estate, loans secured by 209
other than real estate, and loans secured by any combination of 210
mortgages and security interests, on terms and conditions 211
provided by sections 1321.51 to 1321.60 of the Revised Code. 212

(D) (1) If a lender that is subject to sections 1321.51 to 213
1321.60 of the Revised Code makes a loan in violation of 214
division (A) (1) of this section, the lender has no right to 215
collect, receive, or retain any interest or charges on that 216
loan. 217

(2) If a registrant applies to the division for a renewal 218
of the registrant's certificate after the date required by 219
division (A) (7) of section 1321.53 of the Revised Code, but 220
prior to the first day of February of that year, and the 221
division approves the application, division (D) (1) of this 222
section does not apply with respect to any loan made by the 223
registrant while the registrant's certificate was expired. 224

(3) If a person's registration under sections 1321.51 to 225

1321.60 of the Revised Code terminates due to nonrenewal or 226
otherwise but the person continues to engage in the business of 227
collecting or servicing non-first lien residential mortgage 228
loans in violation of division (A) (1) of this section, the 229
superintendent of financial institutions may take administrative 230
action, including action on any subsequent application for a 231
certificate of registration. In addition, no late fee, bad check 232
charge except as incurred, charge related to default or cost to 233
realize on its security interest, or prepayment penalty on non- 234
first lien residential mortgage loans shall be collected or 235
retained by a person who is in violation of division (A) (1) (b) 236
of this section for the period of time in which the person was 237
in violation. Nothing in division (D) (3) of this section 238
prevents or otherwise precludes any other actions or penalties 239
provided by law or modifies a defense of holder in due course 240
that a subsequent purchaser servicing the residential mortgage 241
loan may raise. 242

(E) (1) No individual shall engage in the business of a 243
mortgage loan originator without first obtaining and maintaining 244
~~annually~~biennially a license pursuant to section 1321.532 of 245
the Revised Code from the division of financial institutions. A 246
mortgage loan originator shall be employed or associated with a 247
registrant or entity exempt from registration under sections 248
1321.51 to 1321.60 of the Revised Code, but shall not be 249
employed by or associated with more than one registrant or 250
exempt entity at any one time. 251

(2) An individual acting under the individual's authority 252
as a registered mortgage loan originator shall not be required 253
to be licensed under division (E) (1) of this section. 254

(3) An individual who holds a valid temporary mortgage 255

loan originator license issued pursuant to section 1321.537 of 256
the Revised Code may engage in the business of a mortgage loan 257
originator in accordance with sections 1321.51 to 1321.60 of the 258
Revised Code during the term of the temporary license. 259

(F) (1) Each licensee shall register with, and maintain a 260
valid unique identifier issued by, the nationwide mortgage 261
licensing system and registry. 262

(2) No person shall use a licensee's unique identifier for 263
any purpose other than as set forth in the "Secure and Fair 264
Enforcement for Mortgage Licensing Act of 2008," 122 Stat. 2810, 265
12 U.S.C. 5101. 266

(G) (1) If a person that is subject to sections 1321.51 to 267
1321.60 of the Revised Code makes a loan in violation of 268
division (A) (1) (d) of this section and subsequently sells or 269
assigns that loan, the person is liable to the borrower for any 270
interest paid on that loan to the holder or assignee in excess 271
of the rate that would be applicable in the absence of sections 272
1321.51 to 1321.60 of the Revised Code, in addition to any 273
interest or charges paid on that loan to the unauthorized lender 274
as provided by division (D) (1) of this section. 275

(2) If a person that is subject to sections 1321.51 to 276
1321.60 of the Revised Code makes a residential mortgage loan in 277
violation of division (A) (1) (b) or (c) of this section and 278
subsequently sells or assigns that loan, the lender is liable to 279
the borrower for any interest paid on that loan to the holder or 280
assignee in excess of the rate set forth in division (B) (4) of 281
section 1343.01 of the Revised Code, in addition to any interest 282
or charges paid on that loan to the unauthorized lender as 283
provided by division (D) (1) of this section. 284

Sec. 1321.532. (A) Upon the conclusion of the 285
investigation required under division (E) of section 1321.531 of 286
the Revised Code, the superintendent of financial institutions 287
shall issue a mortgage loan originator license to the applicant 288
if the superintendent finds that all of the following conditions 289
are met: 290

(1) The application is accompanied by the application fee 291
and any additional fee required by the nationwide mortgage 292
licensing system and registry. 293

If a check or other draft instrument is returned to the 294
superintendent for insufficient funds, the superintendent shall 295
notify the licensee by certified mail, return receipt requested, 296
that the license issued in reliance on the check or other draft 297
instrument will be canceled unless the licensee, within thirty 298
days after receipt of the notice, submits the application fee 299
and a one-hundred-dollar penalty to the superintendent. If the 300
licensee does not submit the application fee and penalty within 301
that time period, or if any check or other draft instrument used 302
to pay the fee or penalty is returned to the superintendent for 303
insufficient funds, the license shall be canceled immediately 304
without a hearing, and the licensee shall cease activity as a 305
mortgage loan originator. 306

(2) The applicant complies with sections 1321.51 to 307
1321.60 of the Revised Code. 308

(3) The applicant has not had a mortgage loan originator 309
license, or comparable authority, revoked in any governmental 310
jurisdiction. 311

(4) The applicant has not been convicted of, or pleaded 312
guilty or nolo contendere to, any of the following in a 313

domestic, foreign, or military court: 314

(a) During the seven-year period immediately preceding the 315
date of application for licensure, a misdemeanor involving theft 316
or any felony; 317

(b) At any time prior to the date of application for 318
licensure, a felony involving an act of fraud, dishonesty, a 319
breach of trust, theft, or money laundering. 320

(5) Based on the totality of the circumstances and 321
information submitted in the application, the applicant has 322
proven to the division of financial institutions, by a 323
preponderance of the evidence, that the applicant is of good 324
business repute, appears qualified to act as a mortgage loan 325
originator, and has fully complied with sections 1321.51 to 326
1321.60 of the Revised Code and rules adopted thereunder, and 327
that the applicant meets all of the conditions for issuing a 328
mortgage loan originator license. 329

(6) The applicant successfully completed the written test 330
required under section 1321.535 of the Revised Code and the 331
education requirements set forth in section 1321.534 of the 332
Revised Code. 333

(7) The applicant is covered under a valid bond in 334
compliance with section 1321.533 of the Revised Code. 335

(8) The applicant's financial responsibility, character, 336
and general fitness command the confidence of the public and 337
warrant the belief that the mortgage loan originator will 338
operate honestly and fairly in compliance with the purposes of 339
sections 1321.51 to 1321.60 of the Revised Code. The 340
superintendent shall not use a credit score as the sole basis 341
for a license denial. 342

(B) The license issued under division (A) of this section 343
may be renewed ~~annually~~ biennially on or before the thirty-first 344
day of December of the expiration year if the superintendent 345
finds that all of the following conditions are met: 346

(1) The renewal application is accompanied by a 347
nonrefundable renewal fee of ~~one~~ three hundred ~~fifty~~ dollars, 348
and any additional fee required by the nationwide mortgage 349
licensing system and registry. If a check or other draft 350
instrument is returned to the superintendent for insufficient 351
funds, the superintendent shall notify the licensee by certified 352
mail, return receipt requested, that the license renewed in 353
reliance on the check or other draft instrument will be canceled 354
unless the licensee, within thirty days after receipt of the 355
notice, submits the renewal fee and a one-hundred-dollar penalty 356
to the superintendent. If the licensee does not submit the 357
renewal fee and penalty within that time period, or if any check 358
or other draft instrument used to pay the fee or penalty is 359
returned to the superintendent for insufficient funds, the 360
license shall be canceled immediately without a hearing, and the 361
licensee shall cease activity as a mortgage loan originator. 362

(2) The applicant has completed at least ~~eight~~ sixteen 363
hours of continuing education as required under section 1321.536 364
of the Revised Code. 365

(3) The applicant meets the conditions set forth in 366
divisions (A) (2) to (8) of this section. 367

(4) The applicant's license is not subject to an order of 368
suspension or an unpaid and past due fine imposed by the 369
superintendent. 370

(C) (1) Subject to division (C) (2) of this section, if a 371

license renewal application or fee, including any additional fee 372
required by nationwide mortgage licensing system and registry, 373
is received by the superintendent after the thirty-first day of 374
December of the expiration year, the license shall not be 375
considered renewed, and the applicant shall cease activity as a 376
mortgage loan originator. 377

(2) Division (C) (1) of this section shall not apply if the 378
applicant, no later than the thirty-first day of January 379
immediately following the expiration year, submits the renewal 380
application and fee, including any additional fee required by 381
nationwide mortgage licensing system and registry, and a one- 382
hundred-dollar penalty to the superintendent. 383

(D) Mortgage loan originator licenses issued on or after 384
July 1, 2010, shall ~~annually~~ expire on the thirty-first day of 385
December biennially. 386

(E) If a renewal application does not contain all of the 387
information required under this section, and if that information 388
is not submitted to the superintendent or to the nationwide 389
mortgage licensing system and registry within ninety days after 390
the superintendent or the nationwide mortgage licensing system 391
and registry requests the information in writing, including by 392
electronic transmission or facsimile, the superintendent may 393
consider the application withdrawn. 394

Sec. 1321.536. (A) Each mortgage loan originator licensee 395
shall complete at least ~~eight~~ sixteen hours of continuing 396
education every ~~calendar year~~ two years. To fulfill this 397
requirement, the ~~eight~~ sixteen hours of continuing education 398
must be offered in a course or program of study that includes 399
all of the following: 400

- (1) ~~Three~~Six hours of applicable federal law and regulations; 401
402
- (2) ~~Two~~Four hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending issues; 403
404
405
- (3) ~~Two~~Four hours of training related to lending standards for the nontraditional mortgage product marketplace. 406
407
- (B) Continuing education courses shall be reviewed and approved by the nationwide mortgage licensing system and registry based upon reasonable standards. 408
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- (C) The following conditions shall apply to the continuing education required by this section: 411
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- (1) An individual cannot take the same approved course in the same or successive years to meet the ~~annual~~ requirement for continuing education. 413
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- (2) An individual can only receive credit for a continuing education course in the ~~year~~license period in which the course is taken, unless the individual is making up a deficiency in continuing education as permitted by rule or order of the superintendent of financial institutions. 416
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- (3) An individual who subsequently becomes unlicensed must complete the continuing education requirement for the last ~~year~~license period in which the license was held prior to the issuance of a new or renewed license. 421
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- (4) A licensee who is approved as an instructor of an approved continuing education course may receive credit for the licensee's own ~~annual~~ continuing education requirement at the rate of two credit hours for every one hour taught. 425
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(5) A person having successfully completed a continuing education course approved by the nationwide mortgage licensing system and registry for any state shall receive credit toward completion of the continuing education requirement of this state.

(D) Notwithstanding division (B) of this section, until the nationwide mortgage licensing system and registry implements a review and approval process, the superintendent shall require evidence that the licensee has successfully completed at least ~~eight~~ sixteen hours of continuing education in a course or program of study approved by the superintendent.

(E) (1) Unless online continuing education is prohibited by the superintendent in rule, a licensee may take up to half of the required continuing education hours online.

(2) A licensee may take more than half of the required continuing education hours online if permitted by the superintendent.

(3) Nothing in this section requires the superintendent to offer or permit online continuing education courses.

Sec. 1322.041. (A) Upon the conclusion of the investigation required under division (D) of section 1322.031 of the Revised Code, the superintendent of financial institutions shall issue a loan originator license to the applicant if the superintendent finds that the following conditions are met:

(1) The application is accompanied by the application fee and any fee required by the nationwide mortgage licensing system and registry.

(a) If a check or other draft instrument is returned to the superintendent for insufficient funds, the superintendent

shall notify the applicant by certified mail, return receipt 458
requested, that the application will be withdrawn unless the 459
applicant, within thirty days after receipt of the notice, 460
submits the application fee and a one-hundred-dollar penalty to 461
the superintendent. If the applicant does not submit the 462
application fee and penalty within that time period, or if any 463
check or other draft instrument used to pay the fee or penalty 464
is returned to the superintendent for insufficient funds, the 465
application shall be withdrawn. 466

(b) If a check or other draft instrument is returned to 467
the superintendent for insufficient funds after the license has 468
been issued, the superintendent shall notify the licensee by 469
certified mail, return receipt requested, that the license 470
issued in reliance on the check or other draft instrument will 471
be canceled unless the licensee, within thirty days after 472
receipt of the notice, submits the application fee and a one- 473
hundred-dollar penalty to the superintendent. If the licensee 474
does not submit the application fee and penalty within that time 475
period, or if any check or other draft instrument used to pay 476
the fee or penalty is returned to the superintendent for 477
insufficient funds, the license shall be canceled immediately 478
without a hearing, and the licensee shall cease activity as a 479
loan originator. 480

(2) The applicant complies with sections 1322.01 to 481
1322.12 of the Revised Code and the rules adopted thereunder. 482

(3) The applicant has not been convicted of or pleaded 483
guilty or nolo contendere to any of the following in a domestic, 484
foreign, or military court: 485

(a) During the seven-year period immediately preceding the 486
date of application for the license, a misdemeanor involving 487

theft or any felony; 488

(b) At any time prior to the date the application for the 489
license is approved, a felony involving an act of fraud, 490
dishonesty, a breach of trust, theft, or money laundering. 491

(4) Based on the totality of the circumstances and 492
information submitted in the application, the applicant has 493
proven to the superintendent, by a preponderance of the 494
evidence, that the applicant is of good business repute, appears 495
qualified to act as a loan originator, has fully complied with 496
sections 1322.01 to 1322.12 of the Revised Code and the rules 497
adopted thereunder, and meets all of the conditions for issuing 498
a loan originator license. 499

(5) The applicant successfully completed the written test 500
required by section 1322.051 of the Revised Code and completed 501
the prelicensing instruction set forth in division (B) of 502
section 1322.031 of the Revised Code. 503

(6) The applicant's financial responsibility, character, 504
and general fitness command the confidence of the public and 505
warrant the belief that the business will be operated honestly 506
and fairly in compliance with the purposes of sections 1322.01 507
to 1322.12 of the Revised Code. The superintendent shall not use 508
a credit score as the sole basis for a license denial. 509

(7) The applicant is in compliance with the surety bond 510
requirements of section 1322.05 of the Revised Code. 511

(8) The applicant has not had a loan originator license, 512
or comparable authority, revoked in any governmental 513
jurisdiction. 514

(B) The license issued under division (A) of this section 515
may be renewed ~~annually~~ biennially on or before the thirty-first 516

day of December of the expiration year if the superintendent 517
finds that all of the following conditions are met: 518

(1) The renewal application is accompanied by a 519
nonrefundable renewal fee of ~~one~~ three hundred ~~fifty~~ dollars and 520
any fee required by the nationwide mortgage licensing system and 521
registry. If a check or other draft instrument is returned to 522
the superintendent for insufficient funds, the superintendent 523
shall notify the licensee by certified mail, return receipt 524
requested, that the license renewed in reliance on the check or 525
other draft instrument will be canceled unless the licensee, 526
within thirty days after receipt of the notice, submits the 527
renewal fee and a one-hundred-dollar penalty to the 528
superintendent. If the licensee does not submit the renewal fee 529
and penalty within that time period, or if any check or other 530
draft instrument used to pay the fee or penalty is returned to 531
the superintendent for insufficient funds, the license shall be 532
canceled immediately without a hearing, and the licensee shall 533
cease activity as a loan originator. 534

(2) The applicant has completed at least ~~eight~~ sixteen 535
hours of continuing education as required under section 1322.052 536
of the Revised Code. 537

(3) The applicant meets the conditions set forth in 538
divisions (A) (2) to (8) of this section; provided, however, that 539
an applicant who was issued a loan officer license prior to 540
January 1, 2010, and has continuously maintained that license 541
shall not be required to meet the condition described in 542
division (B) (1) (b) of section 1322.031 of the Revised Code. 543

(4) The applicant's license is not subject to an order of 544
suspension or an unpaid and past due fine imposed by the 545
superintendent. 546

(C) (1) Subject to division (C) (2) of this section, if a license renewal application or renewal fee, including any fee required by the nationwide mortgage licensing system and registry, is received by the superintendent after the thirty-first day of December of the expiration year, the license shall not be considered renewed, and the applicant shall cease activity as a loan originator.

(2) Division (C) (1) of this section shall not apply if the applicant, no later than the thirty-first day of January immediately following the expiration year, submits the renewal application and fees and a one-hundred-dollar penalty to the superintendent.

(D) Loan originator licenses issued on or after May 1, 2010, ~~annually~~ biennially expire on the thirty-first day of December of the expiration year.

Sec. 1322.052. (A) Each licensee and each person designated under division (A) (3) of section 1322.03 of the Revised Code to act as operations manager for a mortgage broker business shall complete at least ~~eight~~ sixteen hours of continuing education every ~~calendar year~~ two years. To fulfill this requirement, the ~~eight~~ sixteen hours of continuing education must be offered in a course or program of study reviewed and approved by the nationwide mortgage licensing system and registry. The course or program of study shall include all of the following:

(1) ~~Three~~ Six hours of applicable federal law and regulations;

(2) ~~Two~~ Four hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending

issues; 576

(3) ~~Two~~ Four hours of training related to lending 577
standards for the nontraditional mortgage product marketplace. 578

(B) Continuing education courses shall be reviewed and 579
approved by the nationwide mortgage licensing system and 580
registry based upon reasonable standards. 581

(C) The following conditions shall apply to the continuing 582
education required by this section: 583

(1) An individual cannot take the same approved course in 584
the same or successive years to meet the ~~annual~~ biennial 585
requirement for continuing education. 586

(2) An individual can only receive credit for a continuing 587
education course in the ~~year~~ license period in which the course 588
is taken, unless the individual is making up a deficiency in 589
continuing education as permitted by rule or order of the 590
superintendent of financial institutions. 591

(3) A licensee who subsequently becomes unlicensed must 592
complete the continuing education requirement for the last ~~year~~ 593
license period in which the license was held prior to the 594
issuance of a new or renewed license. 595

(4) A licensee who is approved as an instructor of a 596
continuing education course receives credit for the licensee's 597
own ~~annual~~ continuing education requirement at the rate of two 598
credit hours for every one hour taught. 599

(5) If an individual successfully completed a continuing 600
education course reviewed and approved by the nationwide 601
mortgage licensing system and registry as required by another 602
state, the individual can receive credit toward completion of 603

the continuing education requirement of this state. 604

(D) Notwithstanding division (A) of this section, until 605
the nationwide mortgage licensing system and registry implements 606
a review and approval process, each licensee or person 607
designated under division (A) (3) of section 1322.03 of the 608
Revised Code shall provide evidence that the licensee or person 609
has successfully completed at least ~~eight~~-sixteen hours of 610
continuing education in a course or program of study approved by 611
the superintendent of financial institutions. 612

(E) (1) Unless online continuing education is prohibited by 613
the superintendent in rule, a licensee may take up to half of 614
the required continuing education hours online. 615

(2) A licensee may take more than half of the required 616
continuing education hours online if permitted by the 617
superintendent. 618

(3) Nothing in this section requires the superintendent to 619
offer or permit online continuing education courses. 620

Sec. 3773.36. Upon the proper filing of an application to 621
conduct any public or private competition that involves boxing, 622
mixed martial arts, kick boxing, tough man contests, tough guy 623
contests, or any other form of boxing or martial arts, 624
accompanied by the surety bond and the application fee, or upon 625
the proper filing of an application to conduct any public or 626
private competition that involves wrestling accompanied by the 627
application fee, the Ohio athletic commission shall issue a 628
promoter's license to the applicant if it finds that the 629
applicant is not in default on any payment, obligation, or debt 630
payable to the state under sections 3773.31 to 3773.57 of the 631
Revised Code, is financially responsible, and is knowledgeable 632

in the proper conduct of such matches or exhibitions. 633

Each license issued pursuant to this section shall bear 634
the name of the licensee, the post office address of the 635
licensee, the date of expiration, an identification number 636
designated by the commission, and the seal of the commission. 637

A promoter's license shall expire ~~twelve~~twenty-four 638
months after its date of issuance and shall become invalid on 639
that date unless renewed. A promoter's license may be renewed 640
upon application to the commission and upon payment of the 641
renewal fee prescribed in section 3773.43 of the Revised Code. 642
The commission shall renew the license unless it denies the 643
application for renewal for one or more reasons stated in 644
section 3123.47 or 3773.53 of the Revised Code. 645

Sec. 3773.42. Upon the proper filing of an application for 646
a referee's, judge's, matchmaker's, timekeeper's, manager's, 647
trainer's, contestant's, or second's license and payment of the 648
applicable application fee, the Ohio athletic commission shall 649
issue the license to the applicant if it determines that the 650
applicant is of good moral character, is not likely to engage in 651
acts detrimental to the fair and honest conduct of public boxing 652
matches or exhibitions, and is qualified to hold such a license 653
by reason of the applicant's knowledge and experience. 654

A person shall not be determined to possess the knowledge 655
and experience necessary to qualify that person to hold a 656
referee's license unless all of the following conditions are 657
met: 658

(A) The person has completed such referee training 659
requirements as the commission prescribes by rule; 660

(B) The person possesses such experience requirements as 661

the commission prescribes by rule; 662

(C) The person has obtained a passing grade on an 663
examination administered by the commission and designed to test 664
the examinee's knowledge of the rules of the particular sport 665
that the person seeks to referee, the commission's rules 666
applicable to the conduct of matches and exhibitions in the 667
particular sport that the person seeks to referee, and such 668
other aspects of officiating as the commission determines 669
appropriate to its determination as to whether the applicant 670
possesses the qualifications and capabilities to act as a 671
referee. 672

The commission shall issue a referee's license to each 673
person who meets the requirements of divisions (A) to (C) of 674
this section. 675

If upon the proper filing of an application for a 676
contestant's license the commission determines that the 677
applicant is of good moral character, is not likely to engage in 678
acts detrimental to the conduct of public boxing matches or 679
exhibitions, and possesses sufficient knowledge and experience 680
and, in the opinion of the licensed physician, physician 681
assistant, clinical nurse specialist, certified nurse 682
practitioner, or certified nurse-midwife who examined the 683
applicant pursuant to section 3773.41 of the Revised Code, is 684
physically fit to engage in public boxing matches or 685
exhibitions, the commission shall issue the license to the 686
applicant. 687

Each license issued pursuant to this section shall bear 688
the correct name and ring or assumed name, if any, of the 689
licensee, the address of the licensee, the date of issue, a 690
serial number designated by the commission, the seal of the 691

commission, and the signature of the commission chairperson. 692

A license issued pursuant to this section shall expire 693
~~twelve~~twenty-four months after its date of issue unless 694
renewed. Upon application for renewal and payment of the renewal 695
fee prescribed in section 3773.43 of the Revised Code, the 696
commission shall renew the license unless it denies the 697
application for one or more reasons stated in section 3123.47 or 698
3773.53 of the Revised Code. If the application is for renewal 699
of a contestant's license, the commission shall also require the 700
applicant to submit the results of a physical examination that a 701
licensed physician, physician assistant, clinical nurse 702
specialist, certified nurse practitioner, or certified nurse- 703
midwife conducted not more than sixty days prior to the date of 704
the application. 705

Sec. 3773.43. The Ohio athletic commission shall charge 706
the following fees: 707

(A) For an application for or renewal of a promoter's 708
license for a public or private competition that involves 709
boxing, mixed martial arts, kick boxing, tough man contests, 710
tough guy contests, or any other form of boxing or martial arts, 711
~~one~~two hundred dollars. 712

(B) For an application for or renewal of a license to 713
participate in a public boxing match or exhibition as a 714
contestant, or as a referee, judge, matchmaker, manager, 715
timekeeper, trainer, or second of a contestant, ~~twenty~~forty 716
dollars. 717

(C) For a permit to conduct a public boxing match or 718
exhibition, fifty dollars. 719

(D) For an application for or renewal of a promoter's 720

license for a public or private competition that involves 721
wrestling, ~~two~~four hundred dollars. 722

(E) For a permit to conduct a professional wrestling match 723
or exhibition, one hundred dollars. 724

The commission, subject to the approval of the controlling 725
board, may establish fees in excess of the amounts provided in 726
this section, provided that such fees do not exceed the amounts 727
permitted by this section by more than fifty per cent. 728

The fees prescribed by this section shall be paid to the 729
treasurer of state, who shall deposit the fees in the 730
occupational licensing and regulatory fund. 731

Sec. 4707.071. (A) On May 1, 1991, all persons licensed as 732
auction companies under former section 4707.071 of the Revised 733
Code shall comply with all provisions of this chapter that are 734
applicable to auctioneers except as provided in divisions (B) 735
and (C) of this section. Such persons, however, do not have to 736
serve an apprenticeship or attend a course of study under 737
section 4707.09 of the Revised Code or submit to an examination 738
under section 4707.08 of the Revised Code as long as they do not 739
engage in the calling for, recognition of, and the acceptance 740
of, offers for the purchase of personal property at auction and 741
do not conduct auctions at any location other than the definite 742
place of business required in section 4707.14 of the Revised 743
Code. 744

(B) The principal owner of each auction company that is 745
licensed as of May 1, 1991, who pays the ~~annual~~biennial renewal 746
fee specified in division (B) of section 4707.10 of the Revised 747
Code during the first renewal period following May 1, 1991, 748
shall be issued a special auctioneer's license, for the auction 749

of personal property subject to division (A) of this section. 750
Each principal owner shall apply for ~~an annual~~ a biennial 751
license. In applying for ~~an annual~~ a biennial license, each 752
person licensed as an auction company on May 1, 1991, shall 753
designate an individual as principal owner by submitting 754
documentation substantiating that the individual is in fact the 755
principal owner and shall identify a definite place of business 756
as required in section 4707.14 of the Revised Code. A person 757
licensed as an auctioneer shall not be entitled to a special 758
auctioneer's license. 759

(C) A special auctioneer's license issued under this 760
section to the principal owner of a former auction company does 761
not entitle the principal owner or former auction company to 762
conduct auctions at any location other than the definite place 763
of business required in section 4707.14 of the Revised Code. 764
Notwithstanding section 4707.10 of the Revised Code, the 765
department of agriculture shall not issue a new special 766
auctioneer's license if the definite place of business 767
identified by the licensee in the licensee's initial application 768
for a ~~special-auctioneer~~ special-auctioneer's license has changed or if 769
the name under which the licensee is doing business has changed. 770
No person other than an owner, officer, member, or agent of the 771
former auction company who personally has passed the examination 772
prescribed in section 4707.08 of the Revised Code and been 773
licensed as an auctioneer shall engage in the calling for, 774
recognition of, and the acceptance of, offers for the purchase 775
of real or personal property, goods, or chattels at auction in 776
connection with a former auction company that has been issued a 777
special auctioneer's license. 778

(D) A person licensed as a special auctioneer shall not 779
engage in the sale of real property at auction. 780

(E) As used in this section, "auction company" means 781
"auction company" as defined in section 4707.01 of the Revised 782
Code prior to its amendment by Sub. S.B. 209 of the 125th 783
general assembly. 784

Sec. 4707.10. (A) (1) The fee for each apprentice 785
auctioneer's ~~or~~ license issued by the department of agriculture 786
is two hundred dollars. The renewal fee for any apprentice 787
auctioneer's license is two hundred dollars and shall be renewed 788
biennially. 789

(2) The fee for each auction firm license issued by the 790
department of agriculture is one hundred dollars, ~~and the~~ 791
annual. The renewal fee for any ~~such~~ auction firm license is one 792
hundred dollars and shall be renewed annually. All licenses ~~are~~ 793

(3) The auction firm license shall expire annually on the 794
last day of June of each year, and the apprentice auctioneer's 795
license shall expire biennially on the last day of June. All 796
licenses shall be renewed according to the standard renewal 797
procedures of Chapter 4745. of the Revised Code, or the 798
procedures of this section. Any licensee under this chapter who 799
wishes to renew the licensee's license, but fails to do so 800
before the first day of July following the license's expiration, 801
shall reapply for licensure in the same manner and pursuant to 802
the same requirements as for initial licensure, unless before 803
the first day of September of the year of expiration, the former 804
licensee pays to the department, in addition to the regular 805
renewal fee, a late renewal penalty of one hundred dollars. 806

(B) (1) Each person to whom the department issues an 807
auctioneer's license or special auctioneer's license shall pay a 808
licensure fee. Those licenses are biennial and expire in 809
accordance with the schedule established in division (B) (2) of 810

this section. If such a license is issued during the first year 811
of a biennium, the licensee shall pay a fee in the amount of two 812
hundred dollars. If the license is issued during the second year 813
of a biennium, the licensee shall pay a fee in the amount of one 814
hundred dollars. With respect to an auctioneer's license, the 815
fees apply regardless of whether the license is issued to an 816
individual under section 4707.07 of the Revised Code or to a 817
corporation, limited liability company, partnership, or 818
association under section 4707.073 of the Revised Code. 819

All auctioneer's licenses and special auctioneer's 820
licenses expire on the last day of June of the biennium. The 821
licenses shall be renewed in accordance with the standard 822
renewal procedures of Chapter 4745. of the Revised Code or the 823
procedures in this section and upon the licensee's payment to 824
the department of a renewal fee of two hundred dollars. A 825
licensee who wishes to renew the licensee's license, but who 826
fails to do so before the first day of July following the 827
license's expiration, shall reapply for licensure in the same 828
manner and pursuant to the same requirements as for the initial 829
licensure unless before the first day of September following the 830
expiration, the former licensee pays to the department, in 831
addition to the regular renewal fee, a late renewal penalty of 832
one hundred dollars. 833

(2) The biennial expiration of an auctioneer's license or 834
special auctioneer's license shall occur in accordance with the 835
following schedule: 836

(a) The license shall expire in odd-numbered years if the 837
business name or last name, as applicable, of the licensee 838
begins with the letters "A" through "J" or with the letters "X" 839
through "Z." 840

(b) The license shall expire in even-numbered years if the 841
business name or last name, as applicable, of the licensee 842
begins with the letters "K" through "W." 843

(C) Any person who fails to renew the person's license 844
before the first day of July is prohibited from engaging in any 845
activity specified or comprehended in section 4707.01 of the 846
Revised Code until such time as the person's license is renewed 847
or a new license is issued. Renewal of a license between the 848
first day of July and the first day of September does not 849
relieve any person from complying with this division. The 850
department may refuse to renew the license of or issue a new 851
license to any person who violates this division. 852

(D) The department shall prepare and deliver to each 853
licensee a permanent license certificate and an identification 854
card, the appropriate portion of which shall be carried on the 855
person of the licensee at all times when engaged in any type of 856
auction activity, and part of which shall be posted with the 857
permanent certificate in a conspicuous location at the 858
licensee's place of business. 859

(E) Notice in writing shall be given to the department by 860
each auctioneer or apprentice auctioneer licensee of any change 861
of principal business location or any change or addition to the 862
name or names under which business is conducted, whereupon the 863
department shall issue a new license for the unexpired period. 864
Any change of business location or change or addition of names 865
without notification to the department shall automatically 866
cancel any license previously issued. For each new auctioneer's 867
or apprentice auctioneer's license issued upon the occasion of a 868
change in business location or a change in or an addition of 869
names under which business is conducted, the department may 870

collect a fee of ten dollars for each change in location, or 871
name or each added name unless the notification of the change 872
occurs concurrently with the renewal application or unless 873
otherwise provided in section 4707.07 of the Revised Code. 874

Sec. 4725.16. (A) (1) Each certificate of licensure issued 875
by the state board of optometry shall expire biennially on the 876
last day of December. Each topical ocular pharmaceutical agents 877
certificate, and therapeutic pharmaceutical agents certificate 878
issued by the state board of optometry shall expire annually on 879
the last day of December, ~~and~~. All certificates and licenses 880
may be renewed in accordance with this section and the standard 881
renewal procedure established under Chapter 4745. of the Revised 882
Code. 883

(2) An optometrist seeking to continue to practice 884
optometry shall file with the board an application for license 885
renewal. The application shall be in such form and require such 886
pertinent professional biographical data as the board may 887
require. 888

(3) (a) Except as provided in division (A) (3) (b) of this 889
section, in the case of an optometrist seeking renewal who holds 890
a therapeutic pharmaceutical agents certificate and who 891
prescribes or personally furnishes analgesic controlled 892
substances authorized pursuant to section 4725.091 of the 893
Revised Code that are opioid analgesics, as defined in section 894
3719.01 of the Revised Code, the optometrist shall certify to 895
the board whether the optometrist has been granted access to the 896
drug database established and maintained by the state board of 897
pharmacy pursuant to section 4729.75 of the Revised Code. 898

(b) The requirement in division (A) (3) (a) of this section 899
does not apply if any of the following is the case: 900

(i) The state board of pharmacy notifies the state board 901
of optometry pursuant to section 4729.861 of the Revised Code 902
that the certificate holder has been restricted from obtaining 903
further information from the drug database. 904

(ii) The state board of pharmacy no longer maintains the 905
drug database. 906

(iii) The certificate holder does not practice optometry 907
in this state. 908

(c) If an optometrist certifies to the state board of 909
optometry that the optometrist has been granted access to the 910
drug database and the board finds through an audit or other 911
means that the optometrist has not been granted access, the 912
board may take action under section 4725.19 of the Revised Code. 913

(B) (1) All licensed optometrists shall ~~annually~~ biennially 914
complete continuing education in subjects relating to the 915
practice of optometry, to the end that the utilization and 916
application of new techniques, scientific and clinical advances, 917
and the achievements of research will assure comprehensive care 918
to the public. The board shall prescribe by rule the continuing 919
optometric education that licensed optometrists must complete. 920
The length of study shall be ~~twenty-five~~ fifty clock hours each 921
~~year~~ two-year period, including ~~ten~~ twenty clock hours of 922
instruction in pharmacology to be completed by all licensed 923
optometrists. 924

Unless the continuing education required under this 925
division is waived or deferred under division (D) of this 926
section, the continuing education must be completed during the 927
~~twelve-month~~ twenty-four-month period beginning on the first day 928
of October and ending on the last day of September of the 929

optometrist's expiration year. If the board receives notice from 930
a continuing education program indicating that an optometrist 931
completed the program after the last day of September, and the 932
optometrist wants to use the continuing education completed 933
after that day to renew the license that expires on the last day 934
of December of that year, the optometrist shall pay the penalty 935
specified under section 4725.34 of the Revised Code for late 936
completion of continuing education. 937

At least once annually, the board shall post on its web 938
site and shall mail, or send by electronic mail, to each 939
licensed optometrist a list of courses approved in accordance 940
with standards prescribed by board rule. Upon the request of a 941
licensed optometrist, the executive director of the board shall 942
supply a list of additional courses that the board has approved 943
subsequent to the most recent web site posting, electronic mail 944
transmission, or mailing of the list of approved courses. 945

(2) Unless online continuing education is prohibited by 946
board rule, a licensee may take up to half of the required 947
continuing education hours online. 948

(3) A licensee may take more than half of the required 949
continuing education hours online if permitted by the board. 950

(3) Nothing in this section requires the board to offer or 951
permit online continuing education courses. 952

(C) (1) Annually, not later than the first day of November, 953
the board shall mail or send by electronic mail a notice 954
regarding license renewal to each licensed optometrist who may 955
be eligible for renewal. The notice shall be sent to the 956
optometrist's most recent electronic mail or mailing address 957
shown in the board's records. If the board knows that the 958

optometrist has completed the required continuing optometric 959
education for the ~~year~~biennium, the board may include with the 960
notice an application for license renewal. 961

(2) Filing a license renewal application with the board 962
shall serve as notice by the optometrist that the continuing 963
optometric education requirement has been successfully 964
completed. If the board finds that an optometrist has not 965
completed the required continuing optometric education, the 966
board shall disapprove the optometrist's application. The 967
board's disapproval of renewal is effective without a hearing, 968
unless a hearing is requested pursuant to Chapter 119. of the 969
Revised Code. 970

(3) The board shall refuse to accept an application for 971
renewal from any applicant whose license is not in good standing 972
or who is under disciplinary review pursuant to section 4725.19 973
of the Revised Code. 974

(4) Notice of an applicant's failure to qualify for 975
renewal shall be served upon the applicant by mail. The notice 976
shall be sent not later than the fifteenth day of November of 977
the expiration year to the applicant's last address shown in the 978
board's records. 979

(D) In cases of certified illness or undue hardship, the 980
board may waive or defer for up to twelve months the requirement 981
of continuing optometric education, except that in such cases 982
the board may not waive or defer the continuing education in 983
pharmacology required to be completed by optometrists who hold 984
topical ocular pharmaceutical agents certificates or therapeutic 985
pharmaceutical agents certificates. The board shall waive the 986
requirement of continuing optometric education for any 987
optometrist who is serving on active duty in the armed forces of 988

the United States or a reserve component of the armed forces of 989
the United States, including the Ohio national guard or the 990
national guard of any other state or who has received an initial 991
certificate of licensure during the nine-month period which 992
ended on the last day of September. 993

(E) An optometrist whose renewal application has been 994
approved may renew each certificate held by paying to the 995
treasurer of state the fees for renewal specified under section 996
4725.34 of the Revised Code. On payment of all applicable fees, 997
the board shall issue a renewal of the optometrist's certificate 998
of licensure, topical ocular pharmaceutical agents certificate, 999
and therapeutic pharmaceutical agents certificate, as 1000
appropriate. 1001

(F) Not later than the fifteenth day of December of the 1002
expiration year, the board shall mail or send by electronic mail 1003
a second notice regarding license renewal to each licensed 1004
optometrist who may be eligible for renewal but did not respond 1005
to the notice sent under division (C) (1) of this section. The 1006
notice shall be sent to the optometrist's most recent electronic 1007
mail or mailing address shown in the board's records. If an 1008
optometrist fails to file a renewal application after the second 1009
notice is sent, the board shall send a third notice regarding 1010
license renewal prior to any action under division (I) of this 1011
section to classify the optometrist's certificates as 1012
delinquent. 1013

(G) The failure of an optometrist to apply for license 1014
renewal or the failure to pay the applicable ~~annual~~ biennial 1015
renewal fees on or before the date of expiration, shall 1016
automatically work a forfeiture of the optometrist's authority 1017
to practice optometry in this state. 1018

(H) The board shall accept renewal applications and 1019
renewal fees that are submitted from the first day of January to 1020
the last day of April of the year next succeeding the date of 1021
expiration. An individual who submits such a late renewal 1022
application or fee shall pay the late renewal fee specified in 1023
section 4725.34 of the Revised Code. 1024

(I) (1) If the certificates issued by the board to an 1025
individual have expired and the individual has not filed a 1026
complete application during the late renewal period, the 1027
individual's certificates shall be classified in the board's 1028
records as delinquent. 1029

(2) Any optometrist subject to delinquent classification 1030
may submit a written application to the board for reinstatement. 1031
For reinstatement to occur, the applicant must meet all of the 1032
following conditions: 1033

(a) Submit to the board evidence of compliance with board 1034
rules requiring continuing optometric education in a sufficient 1035
number of hours to make up for any delinquent compliance; 1036

(b) Pay the renewal fees for the ~~year~~ biennium in which 1037
application for reinstatement is made and the reinstatement fee 1038
specified under division (A) (8) of section 4725.34 of the 1039
Revised Code; 1040

(c) Pass all or part of the licensing examination accepted 1041
by the board under section 4725.11 of the Revised Code as the 1042
board considers appropriate to determine whether the application 1043
for reinstatement should be approved; 1044

(d) If the applicant has been practicing optometry in 1045
another state or country, submit evidence that the applicant's 1046
license to practice optometry in the other state or country is 1047

in good standing. 1048

(3) The board shall approve an application for 1049
reinstatement if the conditions specified in division (I) (2) of 1050
this section are met. An optometrist who receives reinstatement 1051
is subject to the continuing education requirements specified 1052
under division (B) of this section for the year in which 1053
reinstatement occurs. 1054

Sec. 4725.17. (A) An optometrist who intends not to 1055
continue practicing optometry in this state due to retirement or 1056
a decision to practice in another state or country may apply to 1057
the state board of optometry to have the certificates issued to 1058
the optometrist placed on inactive status. Application for 1059
inactive status shall consist of a written notice to the board 1060
of the optometrist's intention to no longer practice in this 1061
state. The board may not accept an application submitted after 1062
the applicant's certificate of licensure and any other 1063
certificates have expired. The board may approve an application 1064
for placement on inactive status only if the applicant's 1065
certificates are in good standing and the applicant is not under 1066
disciplinary review pursuant to section 4725.19 of the Revised 1067
Code. 1068

(B) An individual whose certificates have been placed on 1069
inactive status may submit a written application to the board 1070
for reinstatement. For reinstatement to occur, the applicant 1071
must meet all of the following conditions: 1072

(1) Pay the renewal fees for the ~~year~~ biennium in which 1073
application for reinstatement is made and the reinstatement fee 1074
specified under division (A) (9) of section 4725.34 of the 1075
Revised Code; 1076

(2) Pass all or part of the licensing examination accepted 1077
by the board under section 4725.11 of the Revised Code as the 1078
board considers appropriate, if the board considers examination 1079
necessary to determine whether the application for reinstatement 1080
should be approved; 1081

(3) If the applicant has been practicing optometry in 1082
another state or country, submit evidence of being in the active 1083
practice of optometry in the other state or country and evidence 1084
that the applicant's license to practice in the other state or 1085
country is in good standing. 1086

(C) The board shall approve an application for 1087
reinstatement if the conditions specified in division (B) of 1088
this section are met. An optometrist who receives reinstatement 1089
is subject to the continuing education requirements specified 1090
under section 4725.16 of the Revised Code for the ~~year~~biennium 1091
in which reinstatement occurs. 1092

Sec. 4725.171. (A) An optometrist who discontinued 1093
practicing optometry in this state due to retirement or a 1094
decision to practice in another state or country before the 1095
state board of optometry accepted applications for placement of 1096
certificates to practice on inactive status pursuant to section 1097
4725.17 of the Revised Code may apply to the board to have the 1098
optometrist's certificates reinstated. The board may accept an 1099
application for reinstatement only if, at the time the 1100
optometrist's certificates expired, the certificates were in 1101
good standing and the optometrist was not under disciplinary 1102
review by the board. 1103

(B) For reinstatement to occur, the applicant must meet 1104
all of the following conditions: 1105

(1) Pay the renewal fees for the ~~year~~period in which 1106
application for reinstatement is made and the reinstatement fee 1107
specified under division (A) (10) of section 4725.34 of the 1108
Revised Code; 1109

(2) Pass all or part of the licensing examination accepted 1110
by the board under section 4725.11 of the Revised Code as the 1111
board considers appropriate, if the board considers examination 1112
necessary to determine whether the application for reinstatement 1113
should be approved; 1114

(3) If the applicant has been practicing optometry in 1115
another state or country, submit evidence of being in the active 1116
practice of optometry in the other state or country and evidence 1117
that the applicant's license to practice in the other state or 1118
country is in good standing. 1119

(C) The board shall approve an application for 1120
reinstatement if the conditions specified in division (B) of 1121
this section are met. An optometrist who receives reinstatement 1122
is subject to the continuing education requirements specified 1123
under section 4725.16 of the Revised Code for the ~~year~~biennium 1124
in which reinstatement occurs. 1125

Sec. 4725.34. (A) The state board of optometry shall 1126
charge the following nonrefundable fees: 1127

(1) ~~One~~Two hundred ~~thirty~~sixty dollars for application 1128
for a certificate of licensure; 1129

(2) Forty-five dollars for application for a therapeutic 1130
pharmaceutical agents certificate, except when the certificate 1131
is to be issued pursuant to division (A) (3) of section 4725.13 1132
of the Revised Code, in which case the fee shall be thirty-five 1133
dollars; 1134

- (3) ~~One~~Two hundred ~~thirty-sixty~~ dollars for renewal of a certificate of licensure; 1135
1136
- (4) Forty-five dollars for renewal of a topical ocular pharmaceutical agents certificate; 1137
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- (5) Forty-five dollars for renewal of a therapeutic pharmaceutical agents certificate; 1139
1140
- (6) One hundred twenty-five dollars for late completion or submission, or both, of continuing optometric education; 1141
1142
- (7) One hundred twenty-five dollars for late renewal of one or more certificates that have expired; 1143
1144
- (8) Seventy-five dollars for reinstatement of one or more certificates classified as delinquent under section 4725.16 of the Revised Code, multiplied by the number of years the one or more certificates have been classified as delinquent; 1145
1146
1147
1148
- (9) Seventy-five dollars for reinstatement of one or more certificates placed on inactive status under section 4725.17 of the Revised Code; 1149
1150
1151
- (10) Seventy-five dollars for reinstatement under section 4725.171 of the Revised Code of one or more expired certificates; 1152
1153
1154
- (11) Additional fees to cover administrative costs incurred by the board, including fees for replacing licenses issued by the board and providing rosters of currently licensed optometrists. Such fees shall be established at a regular meeting of the board and shall comply with any applicable guidelines or policies set by the department of administrative services or the office of budget and management. 1155
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1161
- (B) The board, subject to the approval of the controlling 1162

board, may establish fees in excess of the amounts specified in 1163
division (A) of this section if the fees do not exceed the 1164
amounts specified by more than fifty per cent. 1165

(C) All receipts of the board, from any source, shall be 1166
deposited in the state treasury to the credit of the 1167
occupational licensing and regulatory fund. 1168

Sec. 4725.51. (A) Each license issued under sections 1169
4725.40 to 4725.59 of the Revised Code shall expire on the first 1170
day of January in the second year after it was issued. Each 1171
person holding a valid, current license may apply to the Ohio 1172
optical dispensers board for the extension of the license under 1173
the standard renewal procedures of Chapter 4745. of the Revised 1174
Code. Each application for renewal shall be accompanied by a 1175
renewal fee the board shall establish by rule. In addition, the 1176
application shall contain evidence that the applicant has 1177
completed continuing education within the immediately preceding 1178
~~one year~~ two-year period as follows: 1179

(1) Licensed spectacle dispensing opticians shall have 1180
pursued both of the following, approved by the board: 1181

(a) ~~Four~~ Eight hours of study in spectacle dispensing; 1182

(b) ~~Two~~ Four hours of study in the form of contact lens 1183
dispensing described in section 4725.411 of the Revised Code. 1184

(2) Licensed contact lens dispensing opticians shall have 1185
pursued ~~eight~~ sixteen hours of study in contact lens dispensing, 1186
approved by the board. 1187

(3) Licensed spectacle-contact lens dispensing opticians 1188
shall have pursued both of the following, approved by the board: 1189

(a) ~~Four~~ Eight hours of study in spectacle dispensing; 1190

(b) ~~Eight-Sixteen~~ hours of study in contact lens dispensing. 1191
1192

(4) Licensed ocularists shall have pursued courses of study as prescribed by rule of the board. 1193
1194

(5) (a) Unless online continuing education is prohibited by board rule, a licensee may take up to half of the required continuing education hours online. 1195
1196
1197

(b) A licensee may take more than half of the required continuing education hours online if permitted by the board. 1198
1199

(c) Nothing in this section requires the board to offer or permit online continuing education courses. 1200
1201

(B) No person who fails to renew the person's license under division (A) of this section shall be required to take a qualifying examination under section 4725.48 of the Revised Code as a condition of renewal, provided that the application for renewal and proof of the requisite continuing education hours are submitted within ninety days from the date the license expired and the applicant pays the ~~annual~~-biennial renewal fee and a penalty of seventy-five dollars. The board may provide, by rule, for an extension of the grace period for licensed dispensing opticians who are serving in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state and for waiver of the continuing education requirements or the penalty in cases of hardship or illness. 1202
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(C) The board shall approve continuing education programs and shall adopt rules as necessary for approving the programs. 1217
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Approved programs shall be scheduled, sponsored, and conducted 1219

in accordance with the board's rules. 1220

Sec. 4727.03. (A) As used in this section, "experience and 1221
fitness in the capacity involved" means that the applicant for a 1222
pawnbroker's license demonstrates sufficient financial 1223
responsibility, reputation, and experience in the pawnbroker 1224
business, or in a related business, to act as a pawnbroker in 1225
compliance with this chapter. "Experience and fitness in the 1226
capacity involved" shall be determined by: 1227

(1) Prior or current ownership or management of, or 1228
employment in, a pawnshop; 1229

(2) Demonstration to the satisfaction of the 1230
superintendent of financial institutions of a thorough working 1231
knowledge of all pawnbroker laws and rules as they relate to the 1232
actual operation of a pawnshop. 1233

A demonstration shall include a demonstration of an 1234
ability to properly complete forms, knowledge of how to properly 1235
calculate interest and storage charges, and knowledge of legal 1236
notice and forfeiture procedures. The final determination of 1237
whether an applicant's demonstration is adequate rests with the 1238
superintendent. 1239

(3) A submission by the applicant and any stockholders, 1240
owners, managers, directors, or officers of the pawnshop, and 1241
employees of the applicant to a police record check; and 1242

(4) Liquid assets in a minimum amount of one hundred 1243
thousand dollars at the time of applying for initial licensure 1244
and demonstration of the ability to maintain the liquid assets 1245
at a minimum amount of fifty thousand dollars for the duration 1246
of holding a valid pawnbroker's license. 1247

(B) The superintendent may grant a license to act as a 1248

pawnbroker to any person of good character and having experience 1249
and fitness in the capacity involved to engage in the business 1250
of pawnbroking upon the payment to the superintendent of a 1251
license fee determined by the superintendent pursuant to section 1252
1321.20 of the Revised Code. A license is not transferable or 1253
assignable. 1254

(C) The superintendent may consider an application 1255
withdrawn and may retain the investigation fee required under 1256
division (D) of this section if both of the following are true: 1257

(1) An application for a license does not contain all of 1258
the information required under division (B) of this section. 1259

(2) The information is not submitted to the superintendent 1260
within ninety days after the superintendent requests the 1261
information from the applicant in writing. 1262

(D) The superintendent shall require an applicant for a 1263
pawnbroker's license to pay to the superintendent a 1264
nonrefundable initial investigation fee of two hundred dollars, 1265
which is for the exclusive use of the state. 1266

~~(E) (1) Except as otherwise provided in division (E) (2) of 1267
this section, a pawnbroker's license issued by the 1268
superintendent expires on the thirtieth day of June next 1269
following the date of its issuance, and may be renewed annually 1270
by the thirtieth day of June in accordance with the standard 1271
renewal procedure set forth in Chapter 4745. of the Revised 1272
Code. Fifty per cent of the annual license fee shall be for the 1273
use of the state, and fifty per cent shall be paid by the state 1274
to the municipal corporation, or if outside the limits of any 1275
municipal corporation, to the county, in which the office of the 1276
licensee is located. All such fees payable to municipal 1277~~

~~corporations or counties shall be paid annually.~~ 1278

(2) A pawnbroker's license issued or renewed by the 1279
superintendent ~~on or after January 1, 2006,~~ expires on the 1280
thirtieth day of June in the even-numbered year next following 1281
the date of its issuance or renewal, as applicable, and may be 1282
renewed biennially by the thirtieth day of June in accordance 1283
with the standard renewal procedure set forth in Chapter 4745. 1284
of the Revised Code. Fifty per cent of the biennial license fee 1285
shall be for the use of the state, and fifty per cent shall be 1286
paid by the state to the municipal corporation, or if outside 1287
the limits of any municipal corporation, to the county, in which 1288
the office of the licensee is located. All such fees payable to 1289
municipal corporations or counties shall be paid biennially. 1290

(F) The fee for renewal of a license shall be equivalent 1291
to the fee for an initial license established by the 1292
superintendent pursuant to section 1321.20 of the Revised Code. 1293
Any licensee who wishes to renew the pawnbroker's license but 1294
who fails to do so on or before the date the license expires 1295
shall reapply for licensure in the same manner and pursuant to 1296
the same requirements as for initial licensure, unless the 1297
licensee pays to the superintendent on or before the thirty- 1298
first day of August of the year the license expires, a late 1299
renewal penalty of one hundred dollars in addition to the 1300
regular renewal fee. Any licensee who fails to renew the license 1301
on or before the date the license expires is prohibited from 1302
acting as a pawnbroker until the license is renewed or a new 1303
license is issued under this section. Any licensee who renews a 1304
license between the first day of July and the thirty-first day 1305
of August of the year the license expires is not relieved from 1306
complying with this division. The superintendent may refuse to 1307
issue to or renew the license of any licensee who violates this 1308

division. 1309

(G) No license shall be granted to any person not a 1310
resident of or the principal office of which is not located in 1311
the municipal corporation or county designated in such license 1312
unless that applicant, in writing and in due form approved by 1313
and filed with the superintendent, first appoints an agent, a 1314
resident of the state, and city or county where the office is to 1315
be located, upon whom all judicial and other process, or legal 1316
notice, directed to the applicant may be served. In case of the 1317
death, removal from the state, or any legal disability or any 1318
disqualification of any such agent, service of such process or 1319
notice may be made upon the superintendent. 1320

The superintendent may, upon notice to the licensee and 1321
reasonable opportunity to be heard, suspend or revoke any 1322
license or assess a penalty against the licensee if the 1323
licensee, or the licensee's officers, agents, or employees, has 1324
violated this chapter. Any penalty shall be appropriate to the 1325
violation but in no case shall the penalty be less than two 1326
hundred nor more than two thousand dollars. Whenever, for any 1327
cause, a license is suspended or revoked, the superintendent 1328
shall not issue another license to the licensee nor to the legal 1329
spouse of the licensee, nor to any business entity of which the 1330
licensee is an officer or member or partner, nor to any person 1331
employed by the licensee, until the expiration of at least two 1332
years from the date of revocation or suspension of the license. 1333
The superintendent shall deposit all penalties allocated 1334
pursuant to this section into the state treasury to the credit 1335
of the consumer finance fund. 1336

Any proceedings for the revocation or suspension of a 1337
license or to assess a penalty against a licensee are subject to 1338

Chapter 119. of the Revised Code. 1339

(H) If a licensee surrenders or chooses not to renew the 1340
pawnbroker's license, the licensee shall notify the 1341
superintendent thirty days prior to the date on which the 1342
licensee intends to close the licensee's business as a 1343
pawnbroker. Prior to the date, the licensee shall do either of 1344
the following with respect to all active loans: 1345

(1) Dispose of an active loan by selling the loan to 1346
another person holding a valid pawnbroker's license issued under 1347
this section; 1348

(2) Reduce the rate of interest on pledged articles held 1349
as security for a loan to eight per cent per annum or less 1350
effective on the date that the pawnbroker's license is no longer 1351
valid. 1352

Sec. 4727.19. (A) Effective with the two-year period that 1353
begins June 30, 2000, and every two-year period thereafter, each 1354
person licensed as a pawnbroker under this chapter shall 1355
complete by the end of the period at least twelve hours of 1356
continuing education instruction offered in a course or program 1357
approved by the superintendent of financial institutions after 1358
consultation with an industry representative selected by the 1359
superintendent. 1360

(B) Any person licensed under this chapter who has more 1361
than three employees shall designate an individual to the 1362
superintendent as a salesperson. Effective with the two-year 1363
period that begins June 30, 2000, and every two-year period 1364
thereafter, a salesperson shall complete by the end of the 1365
period at least eight hours of continuing education instruction 1366
offered in a course or program approved by the superintendent in 1367

consultation with a designated industry representative. 1368

(C) Each location of those persons licensed under this 1369
chapter who have three or more employees shall have at least one 1370
salesperson who meets the continuing education requirements of 1371
this section. 1372

(D) The superintendent, in accordance with ~~chapter~~ Chapter 1373
119. of the Revised Code, may suspend, revoke, or refuse to 1374
renew the license of any licensee who fails to comply with this 1375
section. 1376

(E) The superintendent, in accordance with ~~chapter~~ Chapter 1377
119. of the Revised Code, may adopt rules regarding continuing 1378
education fees, locations, times, frequency, and waivers of 1379
requirements. 1380

(F) (1) Unless online continuing education is prohibited by 1381
the superintendent of financial institutions in rule, a licensed 1382
pawnbroker may take up to half of the required continuing 1383
education hours online. 1384

(2) A licensed pawnbroker may take more than half of the 1385
required continuing education hours online if permitted by the 1386
superintendent. 1387

(3) Nothing in this section requires the superintendent to 1388
offer or permit online continuing education courses. 1389

Sec. 4728.03. (A) As used in this section, "experience and 1390
fitness in the capacity involved" means that the applicant for a 1391
precious metals dealer's license has had sufficient financial 1392
responsibility, reputation, and experience in the business of 1393
precious metals dealer, or a related business, to act as a 1394
precious metals dealer in compliance with this chapter. 1395

(B) (1) The division of financial institutions in the 1396
department of commerce may grant a precious metals dealer's 1397
license to any person of good character, having experience and 1398
fitness in the capacity involved, who demonstrates a net worth 1399
of at least ten thousand dollars and the ability to maintain 1400
that net worth during the licensure period. The superintendent 1401
of financial institutions shall compute the applicant's net 1402
worth according to generally accepted accounting principles. 1403

(2) In place of the demonstration of net worth required by 1404
division (B) (1) of this section, an applicant may obtain a 1405
surety bond issued by a surety company authorized to do business 1406
in this state if all of the following conditions are met: 1407

(a) A copy of the surety bond is filed with the division; 1408

(b) The bond is in favor of any person, and of the state 1409
for the benefit of any person, injured by any violation of this 1410
chapter; 1411

(c) The bond is in the amount of not less than ten 1412
thousand dollars. 1413

(3) Before granting a license under this division, the 1414
division shall determine that the applicant meets the 1415
requirements of division (B) (1) or (2) of this section. 1416

(C) The division shall require an applicant for a precious 1417
metals dealer's license to pay to the division a nonrefundable, 1418
initial investigation fee of two hundred dollars which shall be 1419
for the exclusive use of the state. The license fee for a 1420
precious metals dealer's license and the renewal fee shall be 1421
determined by the superintendent, provided that the fee may not 1422
exceed ~~three~~six hundred dollars. A license issued by the 1423
division shall expire on the last day of June ~~next~~on the second 1424

year following the date of its issuance. Fifty per cent of 1425
license fees shall be for the use of the state, and fifty per 1426
cent shall be paid to the municipal corporation, or if outside 1427
the limits of any municipal corporation, to the county in which 1428
the office of the licensee is located. All portions of license 1429
fees payable to municipal corporations or counties shall be paid 1430
as they accrue, by the treasurer of state, on vouchers issued by 1431
the director of budget and management. 1432

(D) Every such license shall be renewed ~~annually~~ 1433
biennially by the last day of June of the expiration year 1434
according to the standard renewal procedure of Chapter 4745. of 1435
the Revised Code. No license shall be granted to any person not 1436
a resident of or the principal office of which is not located in 1437
the municipal corporation or county designated in such license, 1438
unless, and until such applicant shall, in writing and in due 1439
form, to be first approved by and filed with the division, 1440
appoint an agent, a resident of the state, and city or county 1441
where the office is to be located, upon whom all judicial and 1442
other process, or legal notice, directed to the applicant may be 1443
served; and in case of the death, removal from the state, or any 1444
legal disability or any disqualification of any agent, service 1445
of process or notice may be made upon the superintendent. 1446

(E) The division may, pursuant to Chapter 119. of the 1447
Revised Code, upon notice to the licensee and after giving the 1448
licensee reasonable opportunity to be heard, revoke or suspend 1449
any license, if the licensee or the licensee's officers, agents, 1450
or employees violate this chapter. Whenever, for any cause, the 1451
license is revoked or suspended, the division shall not issue 1452
another license to the licensee nor to the husband or wife of 1453
the licensee, nor to any copartnership or corporation of which 1454
the licensee is an officer, nor to any person employed by the 1455

licensee, until the expiration of at least one year from the 1456
date of revocation of the license. 1457

(F) In conducting an investigation to determine whether an 1458
applicant satisfies the requirements for licensure under this 1459
section, the superintendent may request that the superintendent 1460
of the bureau of criminal identification and investigation 1461
investigate and determine whether the bureau has procured any 1462
information pursuant to section 109.57 of the Revised Code 1463
pertaining to the applicant. 1464

If the superintendent of financial institutions determines 1465
that conducting an investigation to determine whether an 1466
applicant satisfies the requirements for licensure under this 1467
section will require procuring information outside the state, 1468
then, in addition to the fee established under division (C) of 1469
this section, the superintendent may require the applicant to 1470
pay any of the actual expenses incurred by the division to 1471
conduct such an investigation, provided that the superintendent 1472
shall assess the applicant a total no greater than one thousand 1473
dollars for such expenses. The superintendent may require the 1474
applicant to pay in advance of the investigation, sufficient 1475
funds to cover the estimated cost of the actual expenses. If the 1476
superintendent requires the applicant to pay investigation 1477
expenses, the superintendent shall provide to the applicant an 1478
itemized statement of the actual expenses incurred by the 1479
division to conduct the investigation. 1480

(G) (1) Except as otherwise provided in division (G) (2) of 1481
this section a precious metals dealer licensed under this 1482
section shall maintain a net worth of at least ten thousand 1483
dollars, computed as required under division (B) (1) of this 1484
section, for as long as the licensee holds a valid precious 1485

metals dealer's license issued pursuant to this section. 1486

(2) A licensee who obtains a surety bond under division 1487
(B)(2) of this section is exempt from the requirement of 1488
division (G)(1) of this section, but shall maintain the bond for 1489
at least two years after the date on which the licensee ceases 1490
to conduct business in this state. 1491

Sec. 4729.11. The state board of pharmacy shall establish 1492
a pharmacy internship program for the purpose of providing the 1493
practical experience necessary to practice as a pharmacist. Any 1494
individual who desires to become a pharmacy intern shall apply 1495
for licensure to the board. An application filed under this 1496
section may not be withdrawn without the approval of the board. 1497

Each applicant shall be issued an identification card and 1498
license as a pharmacy intern if in the opinion of the board the 1499
applicant is actively pursuing an educational program in 1500
preparation for licensure as a pharmacist and meets the other 1501
requirements as determined by the board. An identification card 1502
and license shall be valid until the next ~~annual~~biennial 1503
renewal date and shall be renewed only if the intern is meeting 1504
the requirements and rules of the board. 1505

The state board of pharmacy may appoint a director of 1506
pharmacy internship who is a licensed pharmacist and who is not 1507
directly or indirectly connected with a school or college of 1508
pharmacy or department of pharmacy of a university. The director 1509
of pharmacy internship shall be responsible to the board for the 1510
operation and direction of the pharmacy internship program 1511
established by the board under this section, and for such other 1512
duties as the board may assign. 1513

Sec. 4729.12. An identification card issued by the state 1514

board of pharmacy under section 4729.08 of the Revised Code 1515
entitles the individual to whom it is issued to practice as a 1516
pharmacist or as a pharmacy intern in this state until the next 1517
~~annual~~ biennial renewal date. 1518

Identification cards shall be renewed ~~annually~~ biennially 1519
on the fifteenth day of September of the expiration year, 1520
according to the standard renewal procedure of Chapter 4745. of 1521
the Revised Code. 1522

Each pharmacist and pharmacy intern shall carry the 1523
identification card or renewal identification card while engaged 1524
in the practice of pharmacy. The license shall be conspicuously 1525
exposed at the principal place where the pharmacist or pharmacy 1526
intern practices pharmacy. 1527

A pharmacist or pharmacy intern who desires to continue in 1528
the practice of pharmacy shall file with the board an 1529
application in such form and containing such data as the board 1530
may require for renewal of an identification card. In the case 1531
of a pharmacist who dispenses or plans to dispense controlled 1532
substances in this state, the pharmacist shall certify, as part 1533
of the application, that the pharmacist has been granted access 1534
to the drug database established and maintained by the board 1535
pursuant to section 4729.75 of the Revised Code, unless the 1536
board has restricted the pharmacist from obtaining further 1537
information from the database or the board no longer maintains 1538
the database. If the pharmacist certifies to the board that the 1539
applicant has been granted access to the drug database and the 1540
board finds through an audit or other means that the pharmacist 1541
has not been granted access, the board may take action under 1542
section 4729.16 of the Revised Code. 1543

An application filed under this section for renewal of an 1544

identification card may not be withdrawn without the approval of 1545
the board. 1546

If the board finds that an applicant's identification card 1547
has not been revoked or placed under suspension and that the 1548
applicant has paid the renewal fee, has continued pharmacy 1549
education in accordance with the rules of the board, and is 1550
entitled to continue in the practice of pharmacy, the board 1551
shall issue a renewal identification card to the applicant. 1552

When an identification card has lapsed for more than sixty 1553
days but application is made within three years after the 1554
expiration of the card, the applicant shall be issued a renewal 1555
identification card without further examination if the applicant 1556
meets the requirements of this section and pays the fee 1557
designated under division (A) (5) of section 4729.15 of the 1558
Revised Code. 1559

Sec. 4729.15. (A) Except as provided in division (B) of 1560
this section, the state board of pharmacy shall charge the 1561
following fees: 1562

(1) For applying for a license to practice as a 1563
pharmacist, an amount adequate to cover all rentals, 1564
compensation for proctors, and other expenses of the board 1565
related to examination except the expenses of procuring and 1566
grading the examination, which fee shall not be returned if the 1567
applicant fails to pass the examination; 1568

(2) For the examination of an applicant for licensure as a 1569
pharmacist, an amount adequate to cover any expenses to the 1570
board of procuring and grading the examination or any part 1571
thereof, which fee shall not be returned if the applicant fails 1572
to pass the examination; 1573

(3) For issuing a license and an identification card to an individual who passes the examination described in section 4729.07 of the Revised Code, an amount that is adequate to cover the expense;

(4) For a pharmacist applying for renewal of an identification card within sixty days after the expiration date, ~~ninety seven one hundred ninety-five dollars and fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for renewal;

(5) For a pharmacist applying for renewal of an identification card that has lapsed for more than sixty days, but for less than three years, ~~one two hundred thirty five seventy~~ seventy dollars, which fee shall not be returned if the applicant fails to qualify for renewal;

(6) For a pharmacist applying for renewal of an identification card that has lapsed for more than three years, ~~three six hundred thirty seven seventy-five~~ six hundred thirty seven ~~seventy-five~~ dollars and ~~fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for renewal;

(7) For a pharmacist applying for a license and identification card, on presentation of a pharmacist license granted by another state, three hundred thirty-seven dollars and fifty cents, which fee shall not be returned if the applicant fails to qualify for licensure.

(8) For a license and identification card to practice as a pharmacy intern, ~~twenty two forty-five~~ forty-five dollars and ~~fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for licensure;

(9) For the renewal of a pharmacy intern identification

card, ~~twenty-two~~ forty-five dollars ~~and fifty cents~~, which fee 1603
shall not be returned if the applicant fails to qualify for 1604
renewal; 1605

(10) For issuing a replacement license to a pharmacist, 1606
twenty-two dollars and fifty cents; 1607

(11) For issuing a replacement license to a pharmacy 1608
intern, seven dollars and fifty cents; 1609

(12) For issuing a replacement identification card to a 1610
pharmacist, thirty-seven dollars and fifty cents, or pharmacy 1611
intern, seven dollars and fifty cents; 1612

(13) For certifying licensure and grades for reciprocal 1613
licensure, ten dollars; 1614

(14) For making copies of any application, affidavit, or 1615
other document filed in the state board of pharmacy office, an 1616
amount fixed by the board that is adequate to cover the expense, 1617
except that for copies required by federal or state agencies or 1618
law enforcement officers for official purposes, no charge need 1619
be made; 1620

(15) For certifying and affixing the seal of the board, an 1621
amount fixed by the board that is adequate to cover the expense, 1622
except that for certifying and affixing the seal of the board to 1623
a document required by federal or state agencies or law 1624
enforcement officers for official purposes, no charge need be 1625
made; 1626

(16) For each copy of a book or pamphlet that includes 1627
laws administered by the state board of pharmacy, rules adopted 1628
by the board, and chapters of the Revised Code with which the 1629
board is required to comply, an amount fixed by the board that 1630
is adequate to cover the expense of publishing and furnishing 1631

the book or pamphlet. 1632

(B) (1) Subject to division (B) (2) of this section, the 1633
fees described in divisions (A) (1) to (13) of this section do 1634
not apply to an individual who is on active duty in the armed 1635
forces of the United States or to an individual who served in 1636
the armed forces of the United States and presents a valid copy 1637
of the individual's DD-214 form or an equivalent document issued 1638
by the United States department of defense indicating that the 1639
individual is an honorably discharged veteran. 1640

(2) The state board of pharmacy may establish limits with 1641
respect to the individuals for whom fees are not applicable 1642
under division (B) (1) of this section. 1643

Sec. 4729.52. (A) A person desiring to be registered as a 1644
wholesale distributor of dangerous drugs shall file with the 1645
executive director of the state board of pharmacy a verified 1646
application containing such information as the board requires of 1647
the applicant relative to the qualifications to be registered as 1648
a wholesale distributor of dangerous drugs set forth in section 1649
4729.53 of the Revised Code and the rules adopted under that 1650
section. The board shall register as a wholesale distributor of 1651
dangerous drugs each applicant who has paid the required 1652
registration fee, if the board determines that the applicant 1653
meets the qualifications to be registered as a wholesale 1654
distributor of dangerous drugs set forth in section 4729.53 of 1655
the Revised Code and the rules adopted under that section. 1656

(B) The board may register and issue to a person who does 1657
not reside in this state a registration certificate as a 1658
wholesale distributor of dangerous drugs if the person possesses 1659
a current and valid wholesale distributor of dangerous drugs 1660
registration certificate or license issued by another state that 1661

has qualifications for licensure or registration comparable to 1662
the registration requirements in this state and pays the 1663
required registration fee. 1664

(C) All registration certificates issued pursuant to this 1665
section are effective for a period of ~~twelve~~twenty-four months 1666
from the first day of July of each year. A registration 1667
certificate shall be renewed ~~annually~~biennially by the board 1668
for a like period, pursuant to this section and the standard 1669
renewal procedure of Chapter 4745. of the Revised Code. A person 1670
desiring to renew a registration certificate shall submit an 1671
application for renewal and pay the required renewal fee before 1672
the first day of July ~~each~~of the expiration year. 1673

(D) Each registration certificate and its application 1674
shall describe not more than one establishment or place where 1675
the registrant or applicant may engage in the sale of dangerous 1676
drugs at wholesale. No registration certificate shall authorize 1677
or permit the wholesale distributor of dangerous drugs named 1678
therein to engage in the sale of drugs at wholesale or to 1679
maintain possession, custody, or control of dangerous drugs for 1680
any purpose other than for the registrant's own use and 1681
consumption at any establishment or place other than that 1682
described in the certificate. 1683

(E) (1) The registration fee is ~~seven hundred fifty one~~
thousand five hundred dollars and shall accompany each 1684
application for registration. The registration renewal fee is 1685
~~seven hundred fifty one thousand five hundred~~ dollars and shall 1686
accompany each renewal application. 1687
1688

A registration certificate that has not been renewed in 1689
~~any~~an expiration year by the first day of August may be 1690
reinstated upon payment of the renewal fee and a penalty of one 1691

hundred fifty dollars. 1692

(2) Renewal fees and penalties assessed under division (E) 1693
(1) of this section shall not be returned if the applicant fails 1694
to qualify for renewal. 1695

(F) The registration of any person as a wholesale 1696
distributor of dangerous drugs subjects the person and the 1697
person's agents and employees to the jurisdiction of the board 1698
and to the laws of this state for the purpose of the enforcement 1699
of this chapter and the rules of the board. However, the filing 1700
of an application for registration as a wholesale distributor of 1701
dangerous drugs by, or on behalf of, any person or the 1702
registration of any person as a wholesale distributor of 1703
dangerous drugs shall not, of itself, constitute evidence that 1704
the person is doing business within this state. 1705

Sec. 4729.54. (A) As used in this section: 1706

(1) "Category I" means single-dose injections of 1707
intravenous fluids, including saline, Ringer's lactate, five per 1708
cent dextrose and distilled water, and other intravenous fluids 1709
or parenteral solutions included in this category by rule of the 1710
state board of pharmacy, that have a volume of one hundred 1711
milliliters or more and that contain no added substances, or 1712
single-dose injections of epinephrine to be administered 1713
pursuant to sections 4765.38 and 4765.39 of the Revised Code. 1714

(2) "Category II" means any dangerous drug that is not 1715
included in category I or III. 1716

(3) "Category III" means any controlled substance that is 1717
contained in schedule I, II, III, IV, or V. 1718

(4) "Emergency medical service organization" has the same 1719
meaning as in section 4765.01 of the Revised Code. 1720

(5) "Person" includes an emergency medical service organization. 1721
1722

(6) "Schedule I, schedule II, schedule III, schedule IV, and schedule V" mean controlled substance schedules I, II, III, IV, and V, respectively, as established pursuant to section 3719.41 of the Revised Code and as amended. 1723
1724
1725
1726

(B) (1) A person who desires to be licensed as a terminal distributor of dangerous drugs shall file with the executive director of the state board of pharmacy a verified application. After it is filed, the application may not be withdrawn without approval of the board. 1727
1728
1729
1730
1731

(2) An application shall contain all the following that apply in the applicant's case: 1732
1733

(a) Information that the board requires relative to the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code; 1734
1735
1736

(b) A statement that the person wishes to be licensed as a category I, category II, category III, limited category I, limited category II, or limited category III terminal distributor of dangerous drugs; 1737
1738
1739
1740

(c) If the person wishes to be licensed as a limited category I, limited category II, or limited category III terminal distributor of dangerous drugs, a notarized list of the dangerous drugs that the person wishes to possess, have custody or control of, and distribute, which list shall also specify the purpose for which those drugs will be used and their source; 1741
1742
1743
1744
1745
1746

(d) If the person is an emergency medical service organization, the information that is specified in division (C) (1) of this section; 1747
1748
1749

(e) Except for an emergency medical service organization, 1750
the identity of the one establishment or place at which the 1751
person intends to engage in the sale or other distribution of 1752
dangerous drugs at retail, and maintain possession, custody, or 1753
control of dangerous drugs for purposes other than the person's 1754
own use or consumption; 1755

(f) If the application pertains to a pain management 1756
clinic, information that demonstrates, to the satisfaction of 1757
the board, compliance with division (A) of section 4729.552 of 1758
the Revised Code. 1759

(C) (1) An emergency medical service organization that 1760
wishes to be licensed as a terminal distributor of dangerous 1761
drugs shall list in its application for licensure the following 1762
additional information: 1763

(a) The units under its control that the organization 1764
determines will possess dangerous drugs for the purpose of 1765
administering emergency medical services in accordance with 1766
Chapter 4765. of the Revised Code; 1767

(b) With respect to each such unit, whether the dangerous 1768
drugs that the organization determines the unit will possess are 1769
in category I, II, or III. 1770

(2) An emergency medical service organization that is 1771
licensed as a terminal distributor of dangerous drugs shall file 1772
a new application for such licensure if there is any change in 1773
the number, or location of, any of its units or any change in 1774
the category of the dangerous drugs that any unit will possess. 1775

(3) A unit listed in an application for licensure pursuant 1776
to division (C) (1) of this section may obtain the dangerous 1777
drugs it is authorized to possess from its emergency medical 1778

service organization or, on a replacement basis, from a hospital 1779
pharmacy. If units will obtain dangerous drugs from a hospital 1780
pharmacy, the organization shall file, and maintain in current 1781
form, the following items with the pharmacist who is responsible 1782
for the hospital's terminal distributor of dangerous drugs 1783
license: 1784

(a) A copy of its standing orders or protocol; 1785

(b) A list of the personnel employed or used by the 1786
organization to provide emergency medical services in accordance 1787
with Chapter 4765. of the Revised Code, who are authorized to 1788
possess the drugs, which list also shall indicate the personnel 1789
who are authorized to administer the drugs. 1790

(D) Each emergency medical service organization that 1791
applies for a terminal distributor of dangerous drugs license 1792
shall submit with its application the following: 1793

(1) A notarized copy of its standing orders or protocol, 1794
which orders or protocol shall be signed by a physician and 1795
specify the dangerous drugs that its units may carry, expressed 1796
in standard dose units; 1797

(2) A list of the personnel employed or used by the 1798
organization to provide emergency medical services in accordance 1799
with Chapter 4765. of the Revised Code. 1800

An emergency medical service organization that is licensed 1801
as a terminal distributor shall notify the board immediately of 1802
any changes in its standing orders or protocol. 1803

(E) There shall be six categories of terminal distributor 1804
of dangerous drugs licenses, which categories shall be as 1805
follows: 1806

(1) Category I license. A person who obtains this license 1807
may possess, have custody or control of, and distribute only the 1808
dangerous drugs described in category I. 1809

(2) Limited category I license. A person who obtains this 1810
license may possess, have custody or control of, and distribute 1811
only the dangerous drugs described in category I that were 1812
listed in the application for licensure. 1813

(3) Category II license. A person who obtains this license 1814
may possess, have custody or control of, and distribute only the 1815
dangerous drugs described in category I and category II. 1816

(4) Limited category II license. A person who obtains this 1817
license may possess, have custody or control of, and distribute 1818
only the dangerous drugs described in category I or category II 1819
that were listed in the application for licensure. 1820

(5) Category III license, which may include a pain 1821
management clinic classification issued under section 4729.552 1822
of the Revised Code. A person who obtains this license may 1823
possess, have custody or control of, and distribute the 1824
dangerous drugs described in category I, category II, and 1825
category III. If the license includes a pain management clinic 1826
classification, the person may operate a pain management clinic. 1827

(6) Limited category III license. A person who obtains 1828
this license may possess, have custody or control of, and 1829
distribute only the dangerous drugs described in category I, 1830
category II, or category III that were listed in the application 1831
for licensure. 1832

(F) Except for an application made on behalf of an animal 1833
shelter, if an applicant for licensure as a limited category I, 1834
II, or III terminal distributor of dangerous drugs intends to 1835

administer dangerous drugs to a person or animal, the applicant 1836
shall submit, with the application, a notarized copy of its 1837
protocol or standing orders, which protocol or orders shall be 1838
signed by a licensed health professional authorized to prescribe 1839
drugs, specify the dangerous drugs to be administered, and list 1840
personnel who are authorized to administer the dangerous drugs 1841
in accordance with federal law or the law of this state. An 1842
application made on behalf of an animal shelter shall include a 1843
notarized list of the dangerous drugs to be administered to 1844
animals and the personnel who are authorized to administer the 1845
drugs to animals in accordance with section 4729.532 of the 1846
Revised Code. After obtaining a terminal distributor license, a 1847
licensee shall notify the board immediately of any changes in 1848
its protocol or standing orders, or in such personnel. 1849

(G) (1) Except as provided in division (G) (2) of this 1850
section, each applicant for licensure as a terminal distributor 1851
of dangerous drugs shall submit, with the application, a license 1852
fee determined as follows: 1853

(a) For a category I or limited category I license, ~~forty-~~ 1854
~~five-ninety~~ dollars; 1855

(b) For a category II or limited category II license, ~~one-~~ 1856
~~two hundred twelve-twenty-five~~ dollars ~~and fifty cents~~; 1857

(c) For a category III license, including a license with a 1858
pain management clinic classification issued under section 1859
4729.552 of the Revised Code, or a limited category III license, 1860
~~one-three~~ hundred ~~fifty~~ dollars. 1861

(2) For a professional association, corporation, 1862
partnership, or limited liability company organized for the 1863
purpose of practicing veterinary medicine, the fee shall be 1864

forty dollars. 1865

(3) Fees assessed under divisions (G) (1) and (2) of this 1866
section shall not be returned if the applicant fails to qualify 1867
for registration. 1868

(H) (1) The board shall issue a terminal distributor of 1869
dangerous drugs license to each person who submits an 1870
application for such licensure in accordance with this section, 1871
pays the required license fee, is determined by the board to 1872
meet the requirements set forth in section 4729.55 of the 1873
Revised Code, and satisfies any other applicable requirements of 1874
this section. 1875

(2) The license of a person other than an emergency 1876
medical service organization shall describe the one 1877
establishment or place at which the licensee may engage in the 1878
sale or other distribution of dangerous drugs at retail and 1879
maintain possession, custody, or control of dangerous drugs for 1880
purposes other than the licensee's own use or consumption. The 1881
one establishment or place shall be that which is described in 1882
the application for licensure. 1883

No such license shall authorize or permit the terminal 1884
distributor of dangerous drugs named in it to engage in the sale 1885
or other distribution of dangerous drugs at retail or to 1886
maintain possession, custody, or control of dangerous drugs for 1887
any purpose other than the distributor's own use or consumption, 1888
at any establishment or place other than that described in the 1889
license, except that an agent or employee of an animal shelter 1890
may possess and use dangerous drugs in the course of business as 1891
provided in division (D) of section 4729.532 of the Revised 1892
Code. 1893

(3) The license of an emergency medical service organization shall cover and describe all the units of the organization listed in its application for licensure.

(4) The license of every terminal distributor of dangerous drugs shall indicate, on its face, the category of licensure. If the license is a limited category I, II, or III license, it shall specify, and shall authorize the licensee to possess, have custody or control of, and distribute only, the dangerous drugs that were listed in the application for licensure.

(I) All licenses issued pursuant to this section shall be effective for a period of ~~twelve-twenty-four~~ months from the first day of April of each ~~year~~ biennium. A license shall be renewed by the board for a like period, ~~annually~~ biennially, according to the provisions of this section, and the standard renewal procedure of Chapter 4745. of the Revised Code. A person who desires to renew a license shall submit an application for renewal and pay the required fee on or before the thirty-first day of March ~~each of the expiration~~ year. The fee required for the renewal of a license shall be the same as the fee paid for the license being renewed, and shall accompany the application for renewal.

A license that has not been renewed during March ~~in any of the expiration~~ year and by the first day of May of the same year may be reinstated only upon payment of the required renewal fee and a penalty fee of fifty-five dollars.

(J) (1) No emergency medical service organization that is licensed as a terminal distributor of dangerous drugs shall fail to comply with division (C) (2) or (3) of this section.

(2) No emergency medical service organization that is

licensed as a terminal distributor of dangerous drugs shall fail 1923
to comply with division (D) of this section. 1924

(3) No licensed terminal distributor of dangerous drugs 1925
shall possess, have custody or control of, or distribute 1926
dangerous drugs that the terminal distributor is not entitled to 1927
possess, have custody or control of, or distribute by virtue of 1928
its category of licensure. 1929

(4) No licensee that is required by division (F) of this 1930
section to notify the board of changes in its protocol or 1931
standing orders, or in personnel, shall fail to comply with that 1932
division. 1933

Sec. 4735.06. (A) Application for a license as a real 1934
estate broker shall be made to the superintendent of real estate 1935
on forms furnished by the superintendent and filed with the 1936
superintendent and shall be signed by the applicant or its 1937
members or officers. Each application shall state the name of 1938
the person applying and the location of the place of business 1939
for which the license is desired, and give such other 1940
information as the superintendent requires in the form of 1941
application prescribed by the superintendent. 1942

If the applicant is a partnership, limited liability 1943
company, limited liability partnership, or association, the 1944
names of all the members also shall be stated, and, if the 1945
applicant is a corporation, the names of its president and of 1946
each of its officers also shall be stated. The superintendent 1947
has the right to reject the application of any partnership, 1948
association, limited liability company, limited liability 1949
partnership, or corporation if the name proposed to be used by 1950
such partnership, association, limited liability company, 1951
limited liability partnership, or corporation is likely to 1952

mislead the public or if the name is not such as to distinguish 1953
it from the name of any existing partnership, association, 1954
limited liability company, limited liability partnership, or 1955
corporation licensed under this chapter, unless there is filed 1956
with the application the written consent of such existing 1957
partnership, association, limited liability company, limited 1958
liability partnership, or corporation, executed by a duly 1959
authorized representative of it, permitting the use of the name 1960
of such existing partnership, association, limited liability 1961
company, limited liability partnership, or corporation. 1962

(B) A fee of ~~one~~two hundred dollars shall accompany the 1963
application for a real estate broker's license. The initial 1964
licensing period commences at the time the license is issued and 1965
ends on the applicant's ~~first~~second birthday thereafter. 1966
However, if the applicant was an inactive or active salesperson 1967
immediately preceding application for a broker's license, then 1968
the initial licensing period shall commence at the time the 1969
broker's license is issued and ends on the date the licensee's 1970
continuing education is due as set when the applicant was a 1971
salesperson. The application fee shall be nonrefundable. A fee 1972
of ~~one~~two hundred dollars shall be charged by the 1973
superintendent for each successive application made by an 1974
applicant. In the case of issuance of a three-year license, upon 1975
passing the examination, or upon waiver of the examination 1976
requirement, if the superintendent determines it is necessary, 1977
the applicant shall submit an additional fee determined by the 1978
superintendent based upon the number of years remaining in a 1979
real estate salesperson's licensing period. 1980

(C) ~~One dollar~~Two dollars of each application fee for a 1981
real estate broker's license shall be credited to the real 1982
estate education and research fund, which is hereby created in 1983

the state treasury. The Ohio real estate commission may use the 1984
fund in discharging the duties prescribed in divisions (E), (F), 1985
(G), and (H) of section 4735.03 of the Revised Code and shall 1986
use it in the advancement of education and research in real 1987
estate at any institution of higher education in the state, or 1988
in contracting with any such institution or a trade organization 1989
for a particular research or educational project in the field of 1990
real estate, or in advancing loans, not exceeding two thousand 1991
dollars, to applicants for salesperson licenses, to defray the 1992
costs of satisfying the educational requirements of division (F) 1993
of section 4735.09 of the Revised Code. Such loans shall be made 1994
according to rules established by the commission under the 1995
procedures of Chapter 119. of the Revised Code, and they shall 1996
be repaid to the fund within three years of the time they are 1997
made. No more than ten thousand dollars shall be lent from the 1998
fund in any one year. 1999

The governor may appoint a representative from the 2000
executive branch to be a member ex officio of the commission for 2001
the purpose of advising on research requests or educational 2002
projects. The commission shall report to the general assembly on 2003
the third Tuesday after the third Monday in January of each year 2004
setting forth the total amount contained in the fund and the 2005
amount of each research grant that it has authorized and the 2006
amount of each research grant requested. A copy of all research 2007
reports shall be submitted to the state library of Ohio and the 2008
library of the legislative service commission. 2009

(D) If the superintendent, with the consent of the 2010
commission, enters into an agreement with a national testing 2011
service to administer the real estate broker's examination, 2012
pursuant to division (A) of section 4735.07 of the Revised Code, 2013
the superintendent may require an applicant to pay the testing 2014

service's examination fee directly to the testing service. If 2015
the superintendent requires the payment of the examination fee 2016
directly to the testing service, each applicant shall submit to 2017
the superintendent a processing fee in an amount determined by 2018
the Ohio real estate commission pursuant to division (A) (2) of 2019
section 4735.10 of the Revised Code. 2020

Sec. 4735.09. (A) Application for a license as a real 2021
estate salesperson shall be made to the superintendent of real 2022
estate on forms furnished by the superintendent and signed by 2023
the applicant. The application shall be in the form prescribed 2024
by the superintendent and shall contain such information as is 2025
required by this chapter and the rules of the Ohio real estate 2026
commission. The application shall be accompanied by the 2027
recommendation of the real estate broker with whom the applicant 2028
is associated or with whom the applicant intends to be 2029
associated, certifying that the applicant is honest, truthful, 2030
and of good reputation, has not been convicted of a felony or a 2031
crime involving moral turpitude, and has not been finally 2032
adjudged by a court to have violated any municipal, state, or 2033
federal civil rights laws relevant to the protection of 2034
purchasers or sellers of real estate, which conviction or 2035
adjudication the applicant has not disclosed to the 2036
superintendent, and recommending that the applicant be admitted 2037
to the real estate salesperson examination. 2038

(B) A fee of ~~sixty~~ one hundred twenty dollars shall 2039
accompany the application, which fee includes the fee for the 2040
initial ~~year of the~~ licensing period, if a license is issued. 2041
The initial ~~year of the~~ licensing period commences at the time 2042
the license is issued and ends on the applicant's ~~first~~ second 2043
birthday thereafter. The application fee shall be nonrefundable. 2044
A fee of ~~sixty~~ one hundred twenty dollars shall be charged by 2045

the superintendent for each successive application made by the 2046
applicant. ~~One dollar~~ Two dollars of each application fee shall 2047
be credited to the real estate education and research fund. 2048

(C) There shall be no limit placed on the number of times 2049
an applicant may retake the examination. 2050

(D) The superintendent, with the consent of the 2051
commission, may enter into an agreement with a recognized 2052
national testing service to administer the real estate 2053
salesperson's examination under the superintendent's supervision 2054
and control, consistent with the requirements of this chapter as 2055
to the contents of the examination. 2056

If the superintendent, with the consent of the commission, 2057
enters into an agreement with a national testing service to 2058
administer the real estate salesperson's examination, the 2059
superintendent may require an applicant to pay the testing 2060
service's examination fee directly to the testing service. If 2061
the superintendent requires the payment of the examination fee 2062
directly to the testing service, each applicant shall submit to 2063
the superintendent a processing fee in an amount determined by 2064
the Ohio real estate commission pursuant to division (A) (1) of 2065
section 4735.10 of the Revised Code. 2066

(E) The superintendent shall issue a real estate 2067
salesperson's license when satisfied that the applicant has 2068
received a passing score on each portion of the salesperson's 2069
examination as determined by rule by the real estate commission, 2070
except that the superintendent may waive one or more of the 2071
requirements of this section in the case of an applicant who is 2072
a licensed real estate salesperson in another state pursuant to 2073
a reciprocity agreement with the licensing authority of the 2074
state from which the applicant holds a valid real estate 2075

salesperson's license. 2076

(F) No applicant for a salesperson's license shall take 2077
the salesperson's examination who has not established to the 2078
satisfaction of the superintendent that the applicant: 2079

(1) Is honest, truthful, and of good reputation; 2080

(2) (a) Has not been convicted of a felony or crime of 2081
moral turpitude or, if the applicant has been so convicted, the 2082
superintendent has disregarded the conviction because the 2083
applicant has proven to the superintendent, by a preponderance 2084
of the evidence, that the applicant's activities and employment 2085
record since the conviction show that the applicant is honest, 2086
truthful, and of good reputation, and there is no basis in fact 2087
for believing that the applicant again will violate the laws 2088
involved; 2089

(b) Has not been finally adjudged by a court to have 2090
violated any municipal, state, or federal civil rights laws 2091
relevant to the protection of purchasers or sellers of real 2092
estate or, if the applicant has been so adjudged, at least two 2093
years have passed since the court decision and the 2094
superintendent has disregarded the adjudication because the 2095
applicant has proven, by a preponderance of the evidence, that 2096
the applicant is honest, truthful, and of good reputation, and 2097
there is no basis in fact for believing that the applicant again 2098
will violate the laws involved. 2099

(3) Has not, during any period in which the applicant was 2100
licensed under this chapter, violated any provision of, or any 2101
rule adopted pursuant to this chapter, or, if the applicant has 2102
violated such provision or rule, has established to the 2103
satisfaction of the superintendent that the applicant will not 2104

again violate such provision or rule;	2105
(4) Is at least eighteen years of age;	2106
(5) If born after the year 1950, has a high school diploma or its equivalent as recognized by the state department of education;	2107 2108 2109
(6) Has successfully completed at an institution of higher education all of the following:	2110 2111
(a) Forty hours of classroom instruction in real estate practice;	2112 2113
(b) Forty hours of classroom instruction that includes the subjects of Ohio real estate law, municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination. If feasible, the classroom instruction in Ohio real estate law shall be taught by a member of the faculty of an accredited law school. If feasible, the classroom instruction in municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination shall be taught by a staff member of the Ohio civil rights commission who is knowledgeable with respect to those subjects. The requirements of this division do not apply to an applicant who is admitted to practice before the supreme court.	2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127
(c) Twenty hours of classroom instruction in real estate appraisal;	2128 2129
(d) Twenty hours of classroom instruction in real estate finance.	2130 2131
(G) Division (F) (6) (c) of this section does not apply to	2132

any new applicant who holds a valid Ohio real estate appraiser 2133
license or certificate issued prior to the date of application 2134
for a real estate salesperson's license. 2135

(H) Any person who has not been licensed as a real estate 2136
salesperson or broker within a four-year period immediately 2137
preceding the person's current application for the salesperson's 2138
examination shall have successfully completed the prelicensure 2139
classroom instruction required by division (F)(6) of this 2140
section within a ten-year period immediately preceding the 2141
person's current application for the salesperson's examination. 2142

(I) Not earlier than the date of issue of a real estate 2143
salesperson's license to a licensee, but not later than ~~twelve-~~ 2144
twenty-four months after the date of issue of a real estate 2145
salesperson license to a licensee, the licensee shall submit 2146
proof satisfactory to the superintendent, on forms made 2147
available by the superintendent, of the completion of ~~ten-~~twenty 2148
hours of classroom instruction that shall be completed in 2149
schools, seminars, and educational institutions approved by the 2150
commission. Approval of the curriculum and providers shall be 2151
granted according to rules adopted pursuant to section 4735.10 2152
of the Revised Code. 2153

If proof of completion of the required instruction is not 2154
submitted within ~~twelve-~~twenty-four months of the date a license 2155
is issued under this section, the licensee's license is 2156
suspended automatically without the taking of any action by the 2157
superintendent. The superintendent immediately shall notify the 2158
broker with whom such salesperson is associated of the 2159
suspension of the salesperson's license. A salesperson whose 2160
license has been suspended under this division shall have twelve 2161
months after the date of the suspension of the salesperson's 2162

license to submit proof of successful completion of the 2163
instruction required under this division. No such license shall 2164
be reactivated by the superintendent until it is established, to 2165
the satisfaction of the superintendent, that the requirements of 2166
this division have been met and that the licensee is in 2167
compliance with this chapter. A licensee's license is revoked 2168
automatically without the taking of any action by the 2169
superintendent when the licensee fails to submit the required 2170
proof of completion of the education requirements under division 2171
(I) of this section within twelve months of the date the license 2172
is suspended. 2173

(J) Examinations shall be administered with reasonable 2174
accommodations in accordance with the requirements of the 2175
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 2176
U.S.C. 12189. The contents of an examination shall be consistent 2177
with the classroom instructional requirements of division (F) (6) 2178
of this section. An applicant who has completed the classroom 2179
instructional requirements of division (F) (6) of this section at 2180
the time of application shall be examined no later than twelve 2181
months after the applicant is notified of the applicant's 2182
admission to the examination. 2183

Sec. 4735.14. (A) Each license issued under this chapter, 2184
shall be valid without further recommendation or examination 2185
until it is placed in an inactive or resigned status, is revoked 2186
or suspended, or such license expires by operation of law. 2187

(B) Except for a licensee who has placed the licensee's 2188
license in resigned status pursuant to section 4735.142 of the 2189
Revised Code, each licensed broker, brokerage, or salesperson 2190
shall file, on or before the date the Ohio real estate 2191
commission has adopted by rule for that licensee in accordance 2192

with division (A) (2) (f) of section 4735.10 of the Revised Code, 2193
a notice of renewal on a form prescribed by the superintendent 2194
of real estate. The notice of renewal shall be mailed by the 2195
superintendent two months prior to the filing deadline to the 2196
personal residence address of each broker or salesperson that is 2197
on file with the division. If the licensee is a partnership, 2198
association, limited liability company, limited liability 2199
partnership, or corporation, the notice of renewal shall be 2200
mailed by the superintendent two months prior to the filing 2201
deadline to the brokerage's business address on file with the 2202
division. A licensee shall not renew the licensee's license any 2203
earlier than two months prior to the filing deadline. 2204

(C) Except as otherwise provided in division (B) of this 2205
section, the license of any real estate broker, brokerage, or 2206
salesperson that fails to file a notice of renewal on or before 2207
the filing deadline of each ensuing ~~year~~-biennium shall be 2208
suspended automatically without the taking of any action by the 2209
superintendent. A suspended license may be reactivated within 2210
twelve months of the date of suspension, provided that the 2211
renewal fee plus a penalty fee of fifty per cent of the renewal 2212
fee is paid to the superintendent. Failure to reactivate the 2213
license as provided in this division shall result in automatic 2214
revocation of the license without the taking of any action by 2215
the superintendent. No person, partnership, association, 2216
corporation, limited liability company, or limited partnership 2217
shall engage in any act or acts for which a real estate license 2218
is required while that entity's license is placed in an inactive 2219
or resigned status, or is suspended, or revoked. The commission 2220
shall adopt rules in accordance with Chapter 119. of the Revised 2221
Code to provide to licensees notice of suspension or revocation 2222
or both. 2223

(D) Each licensee shall notify the superintendent of a 2224
change in personal residence address. A licensee's failure to 2225
notify the superintendent of a change in personal residence 2226
address does not negate the requirement to file the license 2227
renewal by the required deadline established by the commission 2228
by rule under division (A) (2) (f) of section 4735.10 of the 2229
Revised Code. 2230

(E) The superintendent shall not renew a license if the 2231
licensee fails to comply with section 4735.141 of the Revised 2232
Code or is otherwise not in compliance with this chapter. 2233

(F) The superintendent shall make notice of successful 2234
renewal available electronically to licensees as soon as 2235
practicable, but not later than thirty days after receipt by the 2236
division of a complete application and renewal fee. This notice 2237
shall serve as a notice of renewal for purposes of section 2238
4745.02 of the Revised Code. 2239

Sec. 4735.141. (A) Except as otherwise provided in this 2240
division and except for a licensee who has placed the licensee's 2241
license in resigned status pursuant to section 4735.142 of the 2242
Revised Code, each person licensed under section 4735.07 or 2243
4735.09 of the Revised Code shall submit proof satisfactory to 2244
the superintendent of real estate that the licensee has 2245
satisfactorily completed thirty hours of continuing education, 2246
as prescribed by the Ohio real estate commission pursuant to 2247
section 4735.10 of the Revised Code, on or before the licensee's 2248
birthday occurring three years after the licensee's date of 2249
initial licensure, and on or before the licensee's birthday 2250
every three years thereafter. 2251

Persons licensed as real estate salespersons who 2252
subsequently become licensed real estate brokers shall continue 2253

to submit proof of continuing education in accordance with the 2254
time period established in this section. 2255

The requirements of this section shall not apply to any 2256
disabled licensee as provided in division (E) of this section. 2257

Each licensee who is seventy years of age or older, within 2258
a continuing education reporting period, shall submit proof 2259
satisfactory to the superintendent of real estate that the 2260
licensee has satisfactorily completed a total of nine classroom 2261
hours of continuing education, including instruction in Ohio 2262
real estate law; recently enacted state and federal laws 2263
affecting the real estate industry; municipal, state, and 2264
federal civil rights law; and canons of ethics for the real 2265
estate industry as adopted by the commission. The required proof 2266
of completion shall be submitted on or before the licensee's 2267
birthday that falls in the third year of that continuing 2268
education reporting period. A licensee who is seventy years of 2269
age or older whose license is in an inactive status is exempt 2270
from the continuing education requirements specified in this 2271
section. The commission shall adopt reasonable rules in 2272
accordance with Chapter 119. of the Revised Code to carry out 2273
the purposes of this paragraph. 2274

(B) (1) The continuing education requirements of this 2275
section shall be completed in schools, seminars, and educational 2276
institutions approved by the commission. Such approval shall be 2277
given according to rules established by the commission under the 2278
procedures of Chapter 119. of the Revised Code, and shall not be 2279
limited to institutions providing two-year or four-year degrees. 2280
Each school, seminar, or educational institution approved under 2281
this division shall be open to all licensees on an equal basis. 2282

(2) Unless online continuing education is prohibited by 2283

commission rule, a licensee may take up to half of the required 2284
continuing education hours online. 2285

(3) A licensee may take more than half of the required 2286
continuing education hours online if permitted by the 2287
commission. 2288

(4) Nothing in this section requires the commission to 2289
offer or permit online continuing education courses. 2290

(C) If the requirements of this section are not met by a 2291
licensee within the period specified, the licensee's license 2292
shall be suspended automatically without the taking of any 2293
action by the superintendent. The superintendent shall notify 2294
the licensee of the license suspension, and such notification 2295
shall be sent by regular mail to the personal residence address 2296
of the licensee that is on file with the division. Any license 2297
so suspended shall remain suspended until it is reactivated by 2298
the superintendent. No such license shall be reactivated until 2299
it is established, to the satisfaction of the superintendent, 2300
that the requirements of this section have been met. If the 2301
requirements of this section are not met within twelve months 2302
from the date the license was suspended, the license shall be 2303
revoked automatically without the taking of any action by the 2304
superintendent. 2305

(D) If the license of a real estate broker is suspended 2306
pursuant to division (C) of this section, the license of a real 2307
estate salesperson associated with that broker correspondingly 2308
is suspended pursuant to division (H) of section 4735.20 of the 2309
Revised Code. A sole broker shall notify affiliated salespersons 2310
of the suspension in writing within three days of receiving the 2311
notice required by division (C) of this section. 2312

(1) The suspended license of the associated real estate salesperson shall be reactivated and no fee shall be charged or collected for that reactivation if that broker subsequently submits proof to the superintendent that the broker has complied with the requirements of this section and requests that the broker's license as a real estate broker be reactivated, and the superintendent then reactivates the broker's license as a real estate broker.

(2) If the real estate salesperson submits an application to leave the association of the suspended broker in order to associate with a different broker, the suspended license of the associated real estate salesperson shall be reactivated and no fee shall be charged or collected for that reactivation. The superintendent may process the application regardless of whether the licensee's license is returned to the superintendent.

Any person whose license is reactivated pursuant to this division shall comply with the requirements of this section and otherwise be in compliance with this chapter.

(E) Any licensee who is a disabled licensee at any time during the last three months of the third year of the licensee's continuing education reporting period may receive an extension of time as deemed appropriate by the superintendent to submit proof to the superintendent that the licensee has satisfactorily completed the required thirty hours of continuing education. To receive an extension of time, the licensee shall submit a request to the division of real estate for the extension and proof satisfactory to the commission that the licensee was a disabled licensee at some time during the last three months of the three-year reporting period. The proof shall include, but is not limited to, a signed statement by the licensee's attending

physician describing the disability, certifying that the 2343
licensee's disability is of such a nature as to prevent the 2344
licensee from attending any instruction lasting at least three 2345
hours in duration, and stating the expected duration of the 2346
disability. The licensee shall request the extension and provide 2347
the physician's statement to the division no later than one 2348
month prior to the end of the licensee's three-year continuing 2349
education reporting period, unless the disability did not arise 2350
until the last month of the three-year reporting period, in 2351
which event the licensee shall request the extension and provide 2352
the physician's statement as soon as practical after the 2353
occurrence of the disability. A licensee granted an extension 2354
pursuant to this division who is no longer a disabled licensee 2355
and who submits proof of completion of the continuing education 2356
during the extension period, shall submit, for future continuing 2357
education reporting periods, proof of completion of the 2358
continuing education requirements according to the schedule 2359
established in division (A) of this section. 2360

(F) The superintendent shall not renew a license if the 2361
licensee fails to comply with this section, and the licensee 2362
shall be required to pay the penalty fee provided in section 2363
4735.14 of the Revised Code. 2364

(G) A licensee shall submit proof of completion of the 2365
required continuing education with the licensee's notice of 2366
renewal. The proof shall be submitted in the manner provided by 2367
the superintendent. 2368

Sec. 4735.27. (A) An application to act as a foreign real 2369
estate dealer shall be in writing and filed with the 2370
superintendent of real estate. It shall be in the form the 2371
superintendent prescribes and shall contain the following 2372

information:	2373
(1) The name and address of the applicant;	2374
(2) A description of the applicant, including, if the applicant is a partnership, unincorporated association, or any similar form of business organization, the names and the residence and business addresses of all partners, officers, directors, trustees, or managers of the organization, and the limitation of the liability of any partner or member; and if the applicant is a corporation, a list of its officers and directors, and the residence and business addresses of each, and, if it is a foreign corporation, a copy of its articles of incorporation in addition;	2375 2376 2377 2378 2379 2380 2381 2382 2383 2384
(3) The location and addresses of the principal office and all other offices of the applicant;	2385 2386
(4) A general description of the business of the applicant prior to the application, including a list of states in which the applicant is a licensed foreign real estate dealer;	2387 2388 2389
(5) The names and addresses of all salesmen <u>salespersons</u> of the applicant at the date of the application;	2390 2391
(6) The nature of the business of the applicant, and its places of business, for the ten-year period preceding the date of application.	2392 2393 2394
(B) Every nonresident applicant shall name a person within this state upon whom process against the applicant may be served and shall give the complete residence and business address of the person designated. Every applicant shall file an irrevocable written consent, executed and acknowledged by an individual duly authorized to give such consent, that actions growing out of a fraud committed by the applicant in connection with the sale in	2395 2396 2397 2398 2399 2400 2401

this state of foreign real estate may be commenced against it, 2402
in the proper court of any county in this state in which a cause 2403
of action for such fraud may arise or in which the plaintiff in 2404
such action may reside, by serving on the secretary of state any 2405
proper process or pleading authorized by the laws of this state, 2406
in the event that the applicant if a resident of this state, or 2407
the person designated by the nonresident applicant, cannot be 2408
found at the address given. The consent shall stipulate that the 2409
service of process on the secretary of state shall be taken in 2410
all courts to be as valid and binding as if service had been 2411
made upon the foreign real estate dealer. If the applicant is a 2412
corporation or an unincorporated association, the consent shall 2413
be accompanied by a certified copy of the resolution of the 2414
board of directors, trustees, or managers of the corporation or 2415
association, authorizing such individual to execute the consent. 2416

(C) The superintendent may investigate any applicant for a 2417
dealer's license, and may require any additional information ~~he~~ 2418
the superintendent considers necessary to determine the business 2419
repute and qualifications of the applicant to act as a foreign 2420
real estate dealer. If the application for a dealer's license 2421
involves investigation outside this state, the superintendent 2422
may require the applicant to advance sufficient funds to pay any 2423
of the actual expenses of the investigation, and an itemized 2424
statement of such expense shall be furnished to the applicant. 2425

(D) Every applicant shall take a written examination, 2426
prescribed and conducted by the superintendent, which covers ~~his~~ 2427
the applicant's knowledge of the principles of real estate 2428
practice, real estate law, financing and appraisal, real estate 2429
transactions and instruments relating to them, canons of 2430
business ethics relating to real estate transactions, and the 2431
duties of foreign real estate dealers and ~~salesmen~~ salespersons. 2432

The fee for the examination, when administered by the 2433
superintendent, is seventy-five dollars. If the applicant does 2434
not appear for the examination, the fee shall be forfeited and a 2435
new application and fee shall be filed, unless good cause for 2436
the failure to appear is shown to the superintendent. The 2437
requirement of an examination may be waived in whole or in part 2438
by the superintendent if an applicant is licensed as a real 2439
estate broker by any state. 2440

Any applicant who fails the examination twice shall wait 2441
six months before applying to retake the examination. 2442

(E) No person shall take the foreign real estate dealer's 2443
examination who has not established to the satisfaction of the 2444
superintendent that ~~he~~ the person: 2445

(1) Has not been convicted of a felony or a crime of moral 2446
turpitude or, if ~~he~~ the applicant has been so convicted, the 2447
superintendent has disregarded the conviction because the 2448
applicant has proven to the superintendent, by a preponderance 2449
of the evidence, that ~~his~~ the applicant's activities and 2450
employment record since the conviction show that ~~he~~ the 2451
applicant is honest, truthful, and of good reputation, and there 2452
is no basis in fact for believing that ~~he~~ the applicant again 2453
will violate the laws involved; 2454

(2) Has not been finally adjudged by a court to have 2455
violated any municipal, state, or federal civil rights laws 2456
relevant to the protection of purchasers or sellers of real 2457
estate or, if ~~he~~ the applicant has been so adjudged, at least 2458
two years have passed since the court decision and the 2459
superintendent has disregarded the adjudication because the 2460
applicant has proven, by a preponderance of the evidence, that 2461
~~his~~ the applicant's activities and employment record since the 2462

adjudication show that ~~he~~ the applicant is honest, truthful, and 2463
of good reputation, and there is no basis in fact for believing 2464
that ~~he~~ the applicant again will violate the laws involved; 2465

(3) Has not, during any period for which ~~he~~ the applicant 2466
was licensed under this chapter or any former section of the 2467
Revised Code applicable to licensed foreign real estate dealers 2468
or ~~salesmen~~ salespersons, violated any provision of, or any rule 2469
adopted pursuant to, this chapter or that section, or, if ~~he~~ the 2470
applicant has violated any such provision or rule, has 2471
established to the satisfaction of the superintendent that ~~he~~ 2472
the applicant will not again violate the provision or rule. 2473

(F) If the superintendent finds that an applicant for a 2474
license as a foreign real estate dealer, or each named member, 2475
manager, or officer of a partnership, association, or corporate 2476
applicant is at least eighteen years of age, is of good business 2477
repute, has passed the examination required under this section 2478
or has had the requirement of an examination waived, and appears 2479
otherwise qualified, the superintendent shall issue a license to 2480
the applicant to engage in business in this state as a foreign 2481
real estate dealer. Dealers licensed pursuant to this section 2482
shall employ as ~~salesmen~~ salespersons of foreign real estate 2483
only persons licensed pursuant to section 4735.28 of the Revised 2484
Code. If at any time such ~~salesmen~~ salespersons resign or are 2485
discharged or new ~~salesmen~~ salespersons are added, the dealer 2486
forthwith shall notify the superintendent and shall file with 2487
the division of real estate the names and addresses of new 2488
~~salesmen~~ salespersons. 2489

(G) If the applicant merely is renewing ~~his~~ the 2490
applicant's license ~~for the previous year~~, the application need 2491
contain only the information required by divisions (A) (2), (3), 2492

and (6) of this section. 2493

Sec. 4735.29. The license of every foreign real estate 2494
dealer and ~~salesman~~ salesperson shall expire biennially on the 2495
thirty-first day of December ~~of each year~~, and may be renewed 2496
upon the filing with the superintendent of real estate of an 2497
application for renewal, and the payment of the fee prescribed 2498
in section 4735.15 of the Revised Code, not less than fifteen or 2499
more than sixty days before the expiration of the old license. 2500
The superintendent may accept an application for renewal less 2501
than fifteen days before the expiration of any calendar year. ~~He~~ 2502
The superintendent shall give notice, without unreasonable 2503
delay, of ~~his~~ the superintendent's action on any application for 2504
renewal of a foreign real estate dealer's or ~~salesman's~~ 2505
salesperson's license. 2506

A foreign real estate dealer's license may be issued at 2507
any time for the remainder of the ~~calendar year~~ biennial period. 2508
In such event, the ~~annual~~ biennial fee prescribed in section 2509
4735.15 of the Revised Code shall not be reduced. 2510

Sec. 4736.11. The state board of sanitarian registration 2511
shall issue a certificate of registration to any applicant whom 2512
it registers as a sanitarian or a sanitarian-in-training. Such 2513
certificate shall bear: 2514

(A) The name of the person; 2515

(B) The date of issue; 2516

(C) A serial number, designated by the board; 2517

(D) The seal of the board and signature of the chairperson 2518
of the board; 2519

(E) The designation "registered sanitarian" or 2520

"sanitarian-in-training." 2521

Certificates of registration shall expire ~~annually~~ 2522
biennially on the date fixed by the board and become invalid on 2523
that date unless renewed pursuant to this section. All 2524
registered sanitarians shall be required ~~annually~~biennially to 2525
complete a continuing education program in subjects relating to 2526
practices of the profession as a sanitarian to the end that the 2527
utilization and application of new techniques, scientific 2528
advancements, and research findings will assure comprehensive 2529
service to the public. The board shall prescribe by rule a 2530
continuing education program for registered sanitarians to meet 2531
this requirement. The length of study for this program shall be 2532
determined by the board but shall be not less than ~~six~~twelve 2533
nor more than ~~twenty-five~~fifty hours during the ~~calendar year~~ 2534
biennium. At least once annually the board shall provide to each 2535
registered sanitarian a list of courses approved by the board as 2536
satisfying the program prescribed by rule. Upon the request of a 2537
registered sanitarian, the secretary shall supply a list of 2538
applicable courses that the board has approved. A certificate 2539
may be renewed for a period of ~~one year~~two years at any time 2540
prior to the date of expiration upon payment of the renewal fee 2541
prescribed by section 4736.12 of the Revised Code and upon 2542
showing proof of having complied with the continuing education 2543
requirements of this section. The state board of sanitarian 2544
registration may waive the continuing education requirement in 2545
cases of certified illness or disability which prevents the 2546
attendance at any qualified educational seminars during the 2547
~~twelve~~twenty-four months immediately preceding the ~~annual~~ 2548
biennial certificate of registration renewal date. Certificates 2549
which expire may be reinstated under rules adopted by the board. 2550

(F) (1) Unless online continuing education is prohibited by 2551

board rule, a registered sanitarian may take up to half of the 2552
required continuing education hours online. 2553

(2) A registered sanitarian may take more than half of the 2554
required continuing education hours online if permitted by the 2555
board. 2556

(3) Nothing in this section requires the board to offer or 2557
permit online continuing education courses. 2558

Sec. 4736.12. (A) The state board of sanitarian 2559
registration shall charge the following fees: 2560

(1) To apply as a sanitarian-in-training, ~~eighty-one~~ 2561
hundred sixty dollars; 2562

(2) For sanitarians-in-training to apply for registration 2563
as sanitarians, ~~eighty-one hundred sixty~~ dollars. The applicant 2564
shall pay this fee only once regardless of the number of times 2565
the applicant takes an examination required under section 2566
4736.08 of the Revised Code. 2567

(3) For persons other than sanitarians-in-training to 2568
apply for registration as sanitarians, including persons meeting 2569
the requirements of section 4736.16 of the Revised Code, ~~one~~ 2570
three hundred sixty-two dollars. The applicant shall pay this 2571
fee only once regardless of the number of times the applicant 2572
takes an examination required under section 4736.08 of the 2573
Revised Code. 2574

(4) The renewal fee for registered sanitarians shall be 2575
~~eighty-one hundred sixty~~ dollars. 2576

(5) The renewal fee for sanitarians-in-training shall be 2577
~~eighty-one hundred sixty~~ dollars. 2578

(6) For late application for renewal, an additional fifty 2579

dollars. 2580

The board of sanitarian registration, with the approval of 2581
the controlling board, may establish fees in excess of the 2582
amounts provided in this section, provided that such fees do not 2583
exceed the amounts permitted by this section by more than fifty 2584
per cent. 2585

(B) The board of sanitarian registration shall charge 2586
separate fees for examinations as required by section 4736.08 of 2587
the Revised Code, provided that the fees are not in excess of 2588
the actual cost to the board of conducting the examinations. 2589

(C) The board of sanitarian registration may adopt rules 2590
establishing fees for all of the following: 2591

(1) Application for the registration of a training agency 2592
approved under rules adopted by the board pursuant to section 2593
4736.11 of the Revised Code and for the annual-biennial 2594
registration renewal of an approved training agency; 2595

(2) Application for the review of continuing education 2596
hours submitted for the board's approval by approved training 2597
agencies or by registered sanitarians or sanitarians-in- 2598
training; 2599

(3) Additional copies of pocket identification cards and 2600
wall certificates. 2601

Sec. 4740.04. The administrative section of the Ohio 2602
construction industry licensing board is responsible for the 2603
administration of this chapter and shall do all of the 2604
following: 2605

(A) Schedule the contractor examinations each of the other 2606
sections of the board directs. Each type of examination shall be 2607

held at least four times per year. 2608

(B) Select and contract with one or more persons to do all 2609
of the following relative to the examinations: 2610

(1) Prepare, administer, score, and maintain the 2611
confidentiality of the examinations; 2612

(2) Be responsible for all the expenses required to 2613
fulfill division (B)(1) of this section; 2614

(3) Charge an applicant a fee in an amount the 2615
administrative section of the board authorizes for administering 2616
the examination. 2617

(C) Issue and renew licenses as follows: 2618

(1) Issue a license to any individual who the appropriate 2619
specialty section of the board determines is qualified pursuant 2620
to section 4740.06 of the Revised Code to hold a license and has 2621
attained, within the twelve months preceding the individual's 2622
application for licensure, a score on the examination that the 2623
appropriate specialty section authorizes for the licensed trade. 2624

(a) Each license shall include the contractor's name, 2625
license number, expiration date, and the name of the contracting 2626
company associated with the individual, as applicable. 2627

(b) Each license issued to an individual who holds more 2628
than one valid license shall contain the same license number and 2629
expiration date as the original license issued to that 2630
individual. 2631

(2) Renew licenses for individuals who meet the renewal 2632
requirements of section 4740.06 of the Revised Code. 2633

(D) Make an annual written report to the director of 2634

commerce on proceedings had by or before the board for the 2635
previous year and make an annual statement of all money received 2636
and expended by the board during the year; 2637

(E) Keep a record containing the name, address, the date 2638
on which the board issues or renews a license to, and the 2639
license number of, every heating, ventilating, and air 2640
conditioning contractor, refrigeration contractor, electrical 2641
contractor, plumbing contractor, and hydronics contractor issued 2642
a license pursuant to this chapter; 2643

(F) Regulate a contractor's use and display of a license 2644
issued pursuant to this chapter and of any information contained 2645
in that license; 2646

(G) Adopt rules in accordance with Chapter 119. of the 2647
Revised Code as necessary to properly discharge the 2648
administrative section's duties under this chapter. The rules 2649
shall include, but not be limited to, the following: 2650

(1) Application procedures for examinations; 2651

(2) Specifications for continuing education requirements 2652
for license renewal that address all of the following: 2653

(a) A requirement that an individual who holds any number 2654
of valid and unexpired licenses accrue a total of ~~ten~~twenty 2655
hours of continuing education courses ~~per-year~~ biennium; 2656

(b) Fees the board charges to persons who provide 2657
continuing education courses, in an amount of twenty-five 2658
dollars annually for each person approved to provide courses, 2659
not more than ten dollars plus one dollar per credit hour for 2660
each course submitted to a specialty section of the board for 2661
approval according to division (F) of section 4740.05 of the 2662
Revised Code, and one dollar per credit hour of instruction per 2663

attendee;	2664
(c) A provision limiting approval of continuing education courses to one year <u>two years</u> .	2665 2666
(3) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code.	2667 2668
(H) Adopt any continuing education curriculum as the other sections of the board establish or approve pursuant to division (F) of section 4740.05 of the Revised Code;	2669 2670 2671
(I) Keep a record of its proceedings and do all things necessary to carry out this chapter.	2672 2673
Sec. 4740.05. Each specialty section of the Ohio construction industry licensing board, other than the administrative section, shall do all of the following:	2674 2675 2676
(A) Adopt rules in accordance with Chapter 119. of the Revised Code that are limited to the following:	2677 2678
(1) Criteria for the section to use in evaluating the qualifications of an individual;	2679 2680
(2) Criteria for the section to use in deciding whether to issue, renew, suspend, revoke, or refuse to issue or renew a license;	2681 2682 2683
(3) The determinations and approvals the section makes under the reciprocity provision of section 4740.08 of the Revised Code;	2684 2685 2686
(4) Criteria for continuing education courses conducted pursuant to this chapter;	2687 2688
(5) A requirement that any training agency seeking approval to provide continuing education courses submit the	2689 2690

required information to the appropriate specialty section of the board at least thirty days, but not more than one year, prior to the date on which the course is proposed to be offered;

(6) A prohibition against any training agency providing a continuing education course unless the administrative section of the board approved that training agency not more than one year prior to the date the course is offered;

(7) A list of disqualifying offenses pursuant to sections 4740.06, 4740.10, and 4776.10 of the Revised Code.

(B) Investigate allegations in reference to violations of this chapter and the rules adopted pursuant to it that pertain to the specialty section and determine by rule a procedure to conduct investigations and hearings on these allegations;

(C) Maintain a record of its proceedings;

(D) Grant approval to a training agency to offer continuing education courses pursuant to rules the board adopts;

(E) As required, do all things necessary to carry out this chapter;

(F) Establish or approve a continuing education curriculum for license renewal for each class of contractors for which the section has primary responsibility. No curriculum may require more than ~~five-ten~~ hours per ~~year-biennium~~ in specific course requirements. No contractor may be required to take more than ~~ten-twenty~~ hours per ~~year-biennium~~ in continuing education courses. The ~~ten-twenty~~ hours shall be the aggregate of hours of continuing education for all licenses the contractor holds.

(G) Design the examination for the type of contractor the specialty section licenses to determine an applicant's

competence to perform that type of contracting. 2719

Sec. 4740.06. (A) Any individual who applies for a license 2720
shall file a written application with the appropriate specialty 2721
section of the Ohio construction industry licensing board, 2722
accompanied with the application fee as determined pursuant to 2723
section 4740.09 of the Revised Code. The application shall be on 2724
the form the section prescribes and verified by the applicant's 2725
oath. The applicant shall provide information satisfactory to 2726
the section showing that the applicant meets the requirements of 2727
division (B) of this section. 2728

(B) To qualify to take an examination, an individual 2729
shall: 2730

(1) Be at least eighteen years of age; 2731

(2) Be a United States citizen or legal alien who produces 2732
valid documentation to demonstrate the individual is a legal 2733
resident of the United States; 2734

(3) Either have been a tradesperson in the type of 2735
licensed trade for which the application is filed for not less 2736
than five years immediately prior to the date the application is 2737
filed, be a currently registered engineer in this state with 2738
three years of business experience in the construction industry 2739
in the trade for which the engineer is applying to take an 2740
examination, or have other experience acceptable to the 2741
appropriate specialty section of the board; 2742

(4) Maintain contractor's liability insurance in an amount 2743
the appropriate specialty section of the board determines and 2744
only in one contracting company name; 2745

(5) Not have done any of the following: 2746

(a) Been convicted of or pleaded guilty to a crime of moral turpitude or a disqualifying offense as those terms are defined in section 4776.10 of the Revised Code;	2747 2748 2749
(b) Violated this chapter or any rule adopted pursuant to it;	2750 2751
(c) Obtained or renewed a license issued pursuant to this chapter, or any order, ruling, or authorization of the board or a section of the board by fraud, misrepresentation, or deception;	2752 2753 2754 2755
(d) Engaged in fraud, misrepresentation, or deception in the conduct of business.	2756 2757
(C) When an applicant for licensure as a contractor in a licensed trade meets the qualifications set forth in division (B) of this section and passes the required examination, the appropriate specialty section of the board, within ninety days after the application was filed, shall authorize the administrative section of the board to license the applicant for the type of contractor's license for which the applicant qualifies. A specialty section of the board may withdraw its authorization to the administrative section for issuance of a license for good cause shown, on the condition that notice of that withdrawal is given prior to the administrative section's issuance of the license.	2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769
(D) (1) Except as provided in division (D) (2) of this section, if an applicant does not pass the required examination, the applicant may retake the examination not less than sixty days after the applicant's most recent examination.	2770 2771 2772 2773
(2) An applicant who does not pass the required examination after taking the examination five times under this	2774 2775

section shall reapply for a license under division (A) of this 2776
section before retaking the required examination any subsequent 2777
time. 2778

(E) All licenses a contractor holds pursuant to this 2779
chapter shall expire ~~annually~~biennially on the same date, which 2780
shall be the expiration date of the original license the 2781
contractor holds. An individual holding a valid, unexpired 2782
license may renew the license, without reexamination, by 2783
submitting an application to the appropriate specialty section 2784
of the board not more than ninety calendar days before the 2785
expiration of the license, along with the renewal fee the 2786
specialty section requires and proof of compliance with the 2787
applicable continuing education requirements. The applicant 2788
shall provide information in the renewal application 2789
satisfactory to demonstrate to the appropriate specialty section 2790
that the applicant continues to meet the requirements of 2791
division (B) of this section. 2792

Upon application and within one calendar year after a 2793
license has expired, a section may waive any of the requirements 2794
for renewal of a license upon finding that an applicant 2795
substantially meets the renewal requirements or that failure to 2796
timely apply for renewal is due to excusable neglect. A section 2797
that waives requirements for renewal of a license may impose 2798
conditions upon the licensee and assess a late filing fee of not 2799
more than double the usual renewal fee. An applicant shall 2800
satisfy any condition the section imposes before a license is 2801
reissued. 2802

(F) An individual holding a valid license may request the 2803
section of the board that authorized that license to place the 2804
license in inactive status under conditions, and for a period of 2805

time, as that section determines. 2806

(G) Except for the ninety-day extension provided for a 2807
license assigned to a contracting company under division (D) of 2808
section 4740.07 of the Revised Code, a license held by an 2809
individual immediately terminates upon the death of the 2810
individual. 2811

(H) Nothing in any license issued by the Ohio construction 2812
industry licensing board shall be construed to limit or 2813
eliminate any requirement of or any license issued by the Ohio 2814
fire marshal. 2815

(I) (1) Subject to divisions (I) (2), (3), and (4) of this 2816
section, no specialty section of the board shall adopt, 2817
maintain, renew, or enforce any rule, or otherwise preclude in 2818
any way, an individual from receiving or renewing a license 2819
under this chapter due to any past criminal activity or 2820
interpretation of moral character, except as pursuant to 2821
division (B) (5) (a) of this section. If the specialty section 2822
denies an individual a license or license renewal, the reasons 2823
for such denial shall be put in writing. 2824

(2) Except as otherwise provided in this division, if an 2825
individual applying for a license has been convicted of or 2826
pleaded guilty to a misdemeanor that is not a crime of moral 2827
turpitude or a disqualifying offense less than one year prior to 2828
making the application, the section may use its discretion in 2829
granting or denying the individual a license. Except as 2830
otherwise provided in this division, if an individual applying 2831
for a license has been convicted of or pleaded guilty to a 2832
felony that is not a crime of moral turpitude or a disqualifying 2833
offense less than three years prior to making the application, 2834
the section may use its discretion in granting or denying the 2835

individual a license. The provisions in this paragraph do not 2836
apply with respect to any offense unless the section, prior to 2837
September 28, 2012, was required or authorized to deny the 2838
application based on that offense. 2839

In all other circumstances, the section shall follow the 2840
procedures it adopts by rule that conform to division (I)(1) of 2841
this section. 2842

(3) In considering a renewal of an individual's license, 2843
the section shall not consider any conviction or plea of guilty 2844
prior to the initial licensing. However, the board may consider 2845
a conviction or plea of guilty if it occurred after the 2846
individual was initially licensed, or after the most recent 2847
license renewal. 2848

(4) The section may grant an individual a conditional 2849
license that lasts for one year. After the one-year period has 2850
expired, the license is no longer considered conditional, and 2851
the individual shall be considered fully licensed. 2852

~~(I)~~(J) Notwithstanding divisions ~~(D)~~(E) and ~~(H)~~(I) of this 2853
section and sections 4740.04 and 4740.05 of the Revised Code, 2854
the board may establish rules that amend the continuing 2855
education requirements and license renewal schedule for 2856
licensees as provided in or adopted pursuant to those sections 2857
for the purpose of establishing a compliance incentive program. 2858
These rules may include provisions for the creation of the 2859
program and the qualifications, continuing education 2860
requirements, and renewal schedule for the program. 2861

(K) (1) Unless online continuing education is prohibited by 2862
board rule, a licensed contractor required to take continuing 2863
education courses under this section may take up to half of the 2864

required continuing education hours online. 2865

(2) A licensed contractor may take more than half of the 2866
required continuing education hours online if permitted by the 2867
board. 2868

(3) Nothing in this section requires the board to offer or 2869
permit online continuing education courses. 2870

Sec. 4747.05. (A) The hearing aid dealers and fitters 2871
licensing board shall issue to each applicant, within sixty days 2872
of receipt of a properly completed application and payment of 2873
~~two-five~~ hundred ~~sixty-two~~ ~~twenty-four~~ dollars, a hearing aid 2874
dealer's or fitter's license if the applicant, if an individual: 2875

(1) Is at least eighteen years of age; 2876

(2) Has not committed a disqualifying offense or a crime 2877
of moral turpitude, as those terms are defined in section 2878
4776.10 of the Revised Code; 2879

(3) Is free of contagious or infectious disease; 2880

(4) Has successfully passed a qualifying examination 2881
specified and administered by the board. 2882

(B) If the applicant is a firm, partnership, association, 2883
or corporation, the application, in addition to such information 2884
as the board requires, shall be accompanied by an application 2885
for a license for each person, whether owner or employee, of the 2886
firm, partnership, association, or corporation, who engages in 2887
dealing in or fitting of hearing aids, or shall contain a 2888
statement that such applications are submitted separately. No 2889
firm, partnership, association, or corporation licensed pursuant 2890
to this chapter shall permit any unlicensed person to sell or 2891
fit hearing aids. 2892

(C) (1) Subject to divisions (C) (2), (3), and (4) of this 2893
section, the board shall not adopt, maintain, renew, or enforce 2894
any rule that precludes an individual from receiving or renewing 2895
a license issued under this chapter due to any past criminal 2896
activity or interpretation of moral character, unless the 2897
individual has committed a crime of moral turpitude or a 2898
disqualifying offense as those terms are defined in section 2899
4776.10 of the Revised Code. If the board denies an individual a 2900
license or license renewal, the reasons for such denial shall be 2901
put in writing. 2902

(2) Except as otherwise provided in this division, if an 2903
individual applying for a license has been convicted of or 2904
pleaded guilty to a misdemeanor that is not a crime of moral 2905
turpitude or a disqualifying offense less than one year prior to 2906
making the application, the board may use the board's discretion 2907
in granting or denying the individual a license. Except as 2908
otherwise provided in this division, if an individual applying 2909
for a license has been convicted of or pleaded guilty to a 2910
felony that is not a crime of moral turpitude or a disqualifying 2911
offense less than three years prior to making the application, 2912
the board may use the board's discretion in granting or denying 2913
the individual a license. The provisions in this paragraph do 2914
not apply with respect to any offense unless the board, prior to 2915
~~the effective date of this amendment~~ September 28, 2012, was 2916
required or authorized to deny the application based on that 2917
offense. 2918

In all other circumstances, the board shall follow the 2919
procedures it adopts by rule that conform to division (C) (1) of 2920
this section. 2921

(3) In considering a renewal of an individual's license, 2922

the board shall not consider any conviction or plea of guilty 2923
prior to the initial licensing. However, the board may consider 2924
a conviction or plea of guilty if it occurred after the 2925
individual was initially licensed, or after the most recent 2926
license renewal. 2927

(4) The board may grant an individual a conditional 2928
license that lasts for one year. After the one-year period has 2929
expired, the license is no longer considered conditional, and 2930
the individual shall be considered fully licensed. 2931

(D) Each license issued expires on the thirtieth day of 2932
January of the second year following that in which it was 2933
issued. 2934

Sec. 4747.06. (A) Each person engaged in the practice of 2935
dealing in or fitting of hearing aids who holds a valid hearing 2936
aid dealer's or fitter's license shall apply ~~annually~~ biennially 2937
to the hearing aid dealers and fitters licensing board for 2938
renewal of such license under the standard renewal procedure 2939
specified in Chapter 4745. of the Revised Code. The board shall 2940
issue to each applicant, on proof of completion of the 2941
continuing education required by division (B) of this section 2942
and payment of ~~one-three~~ hundred ~~fifty-seven-fourteen~~ 2943
dollars on or before the first day of February, ~~one-three~~ hundred ~~eighty-~~ 2944
~~three~~ sixty-six dollars on or before the first day of March, or 2945
~~two-four~~ hundred ~~ten-twenty~~ dollars thereafter, a renewed 2946
hearing aid dealer's or fitter's license. No person who applies 2947
for renewal of a hearing aid dealer's or fitter's license that 2948
has expired shall be required to take any examination as a 2949
condition of renewal provided application for renewal is made 2950
within two years of the date such license expired. 2951

(B) Each person engaged in the practice of dealing in or 2952

fitting of hearing aids who holds a valid hearing aid dealer's 2953
or fitter's license shall complete ~~each year~~ biennially not less 2954
than ~~ten~~ twenty hours of continuing professional education 2955
approved by the board. On a form provided by the board, the 2956
person shall certify to the board, at the time of license 2957
renewal pursuant to division (A) of this section, that in the 2958
preceding ~~year~~ two years the person has completed continuing 2959
education in compliance with this division and shall submit any 2960
additional information required by rule of the board regarding 2961
the continuing education. The board shall adopt rules in 2962
accordance with Chapter 119. of the Revised Code establishing 2963
the standards continuing education programs must meet to obtain 2964
board approval and continuing education reporting requirements. 2965

Continuing education may be applied to meet the 2966
requirement of this division if it is provided or certified by 2967
any of the following: 2968

(1) The national institute of hearing instruments studies 2969
committee of the international hearing society; 2970

(2) The American speech-language hearing association; 2971

(3) The American academy of audiology. 2972

The board may excuse persons licensed under this chapter, 2973
as a group or as individuals, from all or any part of the 2974
requirements of this division because of an unusual 2975
circumstance, emergency, or special hardship. 2976

(C) (1) Unless online continuing education is prohibited by 2977
board rule, a licensee may take up to half of the required 2978
continuing education hours online. 2979

(2) A licensee may take more than half of the required 2980
continuing education hours online if permitted by the board. 2981

(3) Nothing in this section requires the board to offer or 2982
permit online continuing education courses. 2983

Sec. 4749.03. (A) (1) Any individual, including a partner 2984
in a partnership, may be licensed as a private investigator 2985
under a class B license, or as a security guard provider under a 2986
class C license, or as a private investigator and a security 2987
guard provider under a class A license, if the individual meets 2988
all of the following requirements: 2989

(a) Has a good reputation for integrity, has not been 2990
convicted of a disqualifying offense as defined in section 2991
4776.10 of the Revised Code within the last three years or any 2992
crime of moral turpitude as that term is defined in section 2993
4776.10 of the Revised Code, and has not been adjudicated 2994
incompetent for the purpose of holding the license, as provided 2995
in section 5122.301 of the Revised Code, without having been 2996
restored to legal capacity for that purpose. 2997

(b) Depending upon the class of license for which 2998
application is made, for a continuous period of at least two 2999
years immediately preceding application for a license, has been 3000
engaged in investigatory or security services work for a law 3001
enforcement or other public agency engaged in investigatory 3002
activities, or for a private investigator or security guard 3003
provider, or engaged in the practice of law, or has acquired 3004
equivalent experience as determined by rule of the director of 3005
public safety. 3006

(c) Demonstrates competency as a private investigator or 3007
security guard provider by passing an examination devised for 3008
this purpose by the director, except that any individually 3009
licensed person who qualifies a corporation for licensure shall 3010
not be required to be reexamined if the person qualifies the 3011

corporation in the same capacity that the person was 3012
individually licensed. 3013

(d) Submits evidence of comprehensive general liability 3014
insurance coverage, or other equivalent guarantee approved by 3015
the director in such form and in principal amounts satisfactory 3016
to the director, but not less than one hundred thousand dollars 3017
for each person and three hundred thousand dollars for each 3018
occurrence for bodily injury liability, and one hundred thousand 3019
dollars for property damage liability. 3020

(e) Pays the requisite examination and license fees. 3021

(2) A corporation may be licensed as a private 3022
investigator under a class B license, or as a security guard 3023
provider under a class C license, or as a private investigator 3024
and a security guard provider under a class A license, if an 3025
application for licensure is filed by an officer of the 3026
corporation and the officer, another officer, or the qualifying 3027
agent of the corporation satisfies the requirements of divisions 3028
(A) (1) and (F) (1) of this section. Officers and the statutory 3029
agent of a corporation shall be determined in accordance with 3030
Chapter 1701. of the Revised Code. 3031

(3) At least one partner in a partnership shall be 3032
licensed as a private investigator, or as a security guard 3033
provider, or as a private investigator and a security guard 3034
provider. Partners in a partnership shall be determined as 3035
provided for in Chapter 1775. or 1776. of the Revised Code. 3036

(B) An application for a class A, B, or C license shall be 3037
completed in the form the director prescribes. In the case of an 3038
individual, the application shall state the applicant's name, 3039
birth date, citizenship, physical description, current 3040

residence, residences for the preceding ten years, current 3041
employment, employment for the preceding seven years, experience 3042
qualifications, the location of each of the applicant's offices 3043
in this state, and any other information that is necessary in 3044
order for the director to comply with the requirements of this 3045
chapter. In the case of a corporation, the application shall 3046
state the name of the officer or qualifying agent filing the 3047
application; the state in which the corporation is incorporated 3048
and the date of incorporation; the states in which the 3049
corporation is authorized to transact business; the name of its 3050
qualifying agent; the name of the officer or qualifying agent of 3051
the corporation who satisfies the requirements of divisions (A) 3052
(1) and (F) (1) of this section and the birth date, citizenship, 3053
physical description, current residence, residences for the 3054
preceding ten years, current employment, employment for the 3055
preceding seven years, and experience qualifications of that 3056
officer or qualifying agent; and other information that the 3057
director requires. A corporation may specify in its application 3058
information relative to one or more individuals who satisfy the 3059
requirements of divisions (A) (1) and (F) (1) of this section. 3060

The application described in this division shall be 3061
accompanied by all of the following: 3062

(1) One recent full-face photograph of the applicant or, 3063
in the case of a corporation, of each officer or qualifying 3064
agent specified in the application as satisfying the 3065
requirements of divisions (A) (1) and (F) (1) of this section; 3066

(2) Character references from at least five reputable 3067
citizens for the applicant or, in the case of a corporation, for 3068
each officer or qualifying agent specified in the application as 3069
satisfying the requirements of divisions (A) (1) and (F) (1) of 3070

this section, each of whom has known the applicant, officer, or 3071
qualifying agent for at least five years preceding the 3072
application, and none of whom are connected with the applicant, 3073
officer, or qualifying agent by blood or marriage; 3074

(3) An examination fee of twenty-five dollars for the 3075
applicant or, in the case of a corporation, for each officer or 3076
qualifying agent specified in the application as satisfying the 3077
requirements of divisions (A) (1) and (F) (1) of this section, and 3078
a license fee in the amount the director determines, not to 3079
exceed ~~three~~ seven hundred ~~seventy-five~~ fifty dollars. The 3080
license fee shall be refunded if a license is not issued. 3081

(C) (1) Each individual applying for a license and each 3082
individual specified by a corporation as an officer or 3083
qualifying agent in an application shall submit one complete set 3084
of fingerprints directly to the superintendent of the bureau of 3085
criminal identification and investigation for the purpose of 3086
conducting a criminal records check. The individual shall 3087
provide the fingerprints using a method the superintendent 3088
prescribes pursuant to division (C) (2) of section 109.572 of the 3089
Revised Code and fill out the form the superintendent prescribes 3090
pursuant to division (C) (1) of section 109.572 of the Revised 3091
Code. An applicant who intends to carry a firearm as defined in 3092
section 2923.11 of the Revised Code in the course of business or 3093
employment shall so notify the superintendent. This notification 3094
is in addition to any other requirement related to carrying a 3095
firearm that applies to the applicant. The individual or 3096
corporation requesting the criminal records check shall pay the 3097
fee the superintendent prescribes. 3098

(2) The superintendent shall conduct the criminal records 3099
check as set forth in division (B) of section 109.572 of the 3100

Revised Code. If an applicant intends to carry a firearm in the 3101
course of business or employment, the superintendent shall make 3102
a request to the federal bureau of investigation for any 3103
information and review the information the bureau provides 3104
pursuant to division (B)(2) of section 109.572 of the Revised 3105
Code. The superintendent shall submit all results of the 3106
completed investigation to the director of public safety. 3107

(3) If the director determines that the applicant, 3108
officer, or qualifying agent meets the requirements of divisions 3109
(A)(1)(a), (b), and (d) of this section and that an officer or 3110
qualifying agent meets the requirement of division (F)(1) of 3111
this section, the director shall notify the applicant, officer, 3112
or agent of the time and place for the examination. If the 3113
director determines that an applicant does not meet the 3114
requirements of divisions (A)(1)(a), (b), and (d) of this 3115
section, the director shall notify the applicant that the 3116
applicant's application is refused and refund the license fee. 3117
If the director determines that none of the individuals 3118
specified in the application of a corporation as satisfying the 3119
requirements of divisions (A)(1) and (F)(1) of this section meet 3120
the requirements of divisions (A)(1)(a), (b), and (d) and (F)(1) 3121
of this section, the director shall notify the corporation that 3122
its application is refused and refund the license fee. If the 3123
bureau assesses the director a fee for any investigation, the 3124
director, in addition to any other fee assessed pursuant to this 3125
chapter, may assess the applicant, officer, or qualifying agent, 3126
as appropriate, a fee that is equal to the fee assessed by the 3127
bureau. 3128

(4)(a) Subject to divisions (C)(4)(b), (c), and (d) of 3129
this section, the director shall not adopt, maintain, renew, or 3130
enforce any rule, or otherwise preclude in any way, an 3131

individual from receiving or renewing a license under this 3132
chapter due to any past criminal activity or interpretation of 3133
moral character, except as pursuant to division (A)(1)(a) of 3134
this section. If the director denies an individual a license or 3135
license renewal, the reasons for such denial shall be put in 3136
writing. 3137

(b) Except as otherwise provided in this division, if an 3138
individual applying for a license has been convicted of or 3139
pleaded guilty to a misdemeanor that is not a crime of moral 3140
turpitude or a disqualifying offense less than one year prior to 3141
making the application, the director may use the director's 3142
discretion in granting or denying the individual a license. 3143
Except as otherwise provided in this division, if an individual 3144
applying for a license has been convicted of or pleaded guilty 3145
to a felony that is not a crime of moral turpitude or a 3146
disqualifying offense less than three years prior to making the 3147
application, the director may use the director's discretion in 3148
granting or denying the individual a license. The provisions in 3149
this paragraph do not apply with respect to any offense unless 3150
the director, ~~prior to the effective date of this amendment~~ 3151
September 28, 2012, was required or authorized to deny the 3152
application based on that offense. 3153

In all other circumstances, the director shall follow the 3154
procedures the director adopts by rule that conform to division 3155
(C)(4)(a) of this section. 3156

(c) In considering a renewal of an individual's license, 3157
the director shall not consider any conviction or plea of guilty 3158
prior to the initial licensing. However, the director may 3159
consider a conviction or plea of guilty if it occurred after the 3160
individual was initially licensed, or after the most recent 3161

license renewal. 3162

(d) The director may grant an individual a conditional 3163
license that lasts for one year. After the one-year period has 3164
expired, the license is no longer considered conditional, and 3165
the individual shall be considered fully licensed. 3166

(D) If upon application, investigation, and examination, 3167
the director finds that the applicant or, in the case of a 3168
corporation, any officer or qualifying agent specified in the 3169
application as satisfying the requirements of divisions (A) (1) 3170
and (F) (1) of this section, meets the applicable requirements, 3171
the director shall issue the applicant or the corporation a 3172
class A, B, or C license. The director also shall issue an 3173
identification card to an applicant, but not an officer or 3174
qualifying agent of a corporation, who meets the applicable 3175
requirements. The license and identification card shall state 3176
the licensee's name, the classification of the license, the 3177
location of the licensee's principal place of business in this 3178
state, and the expiration date of the license, and, in the case 3179
of a corporation, it also shall state the name of each officer 3180
or qualifying agent who satisfied the requirements of divisions 3181
(A) (1) and (F) (1) of this section. 3182

Licenses expire on the first day of March on the second 3183
year following the date of initial issue, and biennially on the 3184
first day of March ~~of each year~~ thereafter. ~~Annual~~ Biennial 3185
renewals shall be according to the standard renewal procedures 3186
contained in Chapter 4745. of the Revised Code, upon payment of 3187
~~an annual~~ a biennial renewal fee the director determines, not to 3188
exceed ~~two~~ five hundred ~~seventy five~~ fifty dollars. No license 3189
shall be renewed if the licensee or, in the case of a 3190
corporation, each officer or qualifying agent who qualified the 3191

corporation for licensure no longer meets the applicable 3192
requirements of this section. No license shall be renewed unless 3193
the licensee provides evidence of workers' compensation risk 3194
coverage and unemployment compensation insurance coverage, other 3195
than for clerical employees and excepting sole proprietors who 3196
are exempted therefrom, as provided for in Chapters 4123. and 3197
4141. of the Revised Code, respectively, as well as the 3198
licensee's state tax identification number. No reexamination 3199
shall be required for renewal of a current license. 3200

For purposes of this chapter, a class A, B, or C license 3201
issued to a corporation shall be considered as also having 3202
licensed the individuals who qualified the corporation for 3203
licensure, for as long as they are associated with the 3204
corporation. 3205

For purposes of this division, "sole proprietor" means an 3206
individual licensed under this chapter who does not employ any 3207
other individual. 3208

(E) The director may issue a duplicate copy of a license 3209
issued under this section for the purpose of replacement of a 3210
lost, spoliated, or destroyed license, upon payment of a fee the 3211
director determines, not exceeding twenty-five dollars. Any 3212
change in license classification requires new application and 3213
application fees. 3214

(F) (1) In order to qualify a corporation for a class A, B, 3215
or C license, an officer or qualifying agent may qualify another 3216
corporation for similar licensure, provided that the officer or 3217
qualifying agent is actively engaged in the business of both 3218
corporations. 3219

(2) Each officer or qualifying agent who qualifies a 3220

corporation for class A, B, or C licensure shall surrender any 3221
personal license of a similar nature that the officer or 3222
qualifying agent possesses. 3223

(3) Upon written notification to the director, completion 3224
of an application similar to that for original licensure, 3225
surrender of the corporation's current license, and payment of a 3226
twenty-five-dollar fee, a corporation's class A, B, or C license 3227
may be transferred to another corporation. 3228

(4) Upon written notification to the director, completion 3229
of an application similar to that for an individual seeking 3230
class A, B, or C licensure, payment of a twenty-five-dollar fee, 3231
and, if the individual was the only individual that qualified a 3232
corporation for licensure, surrender of the corporation's 3233
license, any officer or qualifying agent who qualified a 3234
corporation for licensure under this chapter may obtain a 3235
similar license in the individual's own name without 3236
reexamination. A request by an officer or qualifying agent for 3237
an individual license shall not affect a corporation's license 3238
unless the individual is the only individual that qualified the 3239
corporation for licensure or all the other individuals who 3240
qualified the corporation for licensure submit such requests. 3241

(G) If a corporation is for any reason no longer 3242
associated with an individual who qualified it for licensure 3243
under this chapter, an officer of the corporation shall notify 3244
the director of that fact by certified mail, return receipt 3245
requested, within ten days after the association terminates. If 3246
the notification is so given, the individual was the only 3247
individual that qualified the corporation for licensure, and the 3248
corporation submits the name of another officer or qualifying 3249
agent to qualify the corporation for the license within thirty 3250

days after the association terminates, the corporation may 3251
continue to operate in the business of private investigation, 3252
the business of security services, or both businesses in this 3253
state under that license for ninety days after the association 3254
terminates. If the officer or qualifying agent whose name is 3255
submitted satisfies the requirements of divisions (A) (1) and (F) 3256
(1) of this section, the director shall issue a new license to 3257
the corporation within that ninety-day period. The names of more 3258
than one individual may be submitted. 3259

Sec. 4749.031. (A) The department of public safety shall 3260
be a participating public office for purposes of the retained 3261
applicant fingerprint database established under section 3262
109.5721 of the Revised Code. The department shall elect to 3263
participate in the continuous record monitoring service for all 3264
persons licensed or registered under this chapter. When the 3265
superintendent of the bureau of criminal identification and 3266
investigation, under section 109.57 of the Revised Code, 3267
indicates that an individual in the retained applicant 3268
fingerprint database has been arrested for, convicted of, or 3269
pleaded guilty to any offense, the superintendent promptly shall 3270
notify the department either electronically or by mail that 3271
additional arrest or conviction information is available. 3272

(B) In addition to any other fees charged by the 3273
department under this chapter, an applicant for a license under 3274
section 4749.03 of the Revised Code, at the time of making an 3275
initial or renewal application, shall pay any initial or ~~annual~~ 3276
biennial fee charged by the superintendent pursuant to rules 3277
adopted under division (F) of section 109.5721 of the Revised 3278
Code. 3279

Sec. 4751.06. (A) An applicant for licensure as a nursing 3280

home administrator who has successfully completed the 3281
requirements of section 4751.05 of the Revised Code, passed the 3282
examination administered by the board of executives of long-term 3283
services and supports or a government or private entity under 3284
contract with the board, and paid to the board an original 3285
license fee of ~~two-five~~ hundred ~~fifty~~ dollars shall be issued a 3286
license on a form provided by the board. Such license shall 3287
certify that the applicant has met the licensure requirements of 3288
Chapter 4751. of the Revised Code and is entitled to practice as 3289
a licensed nursing home administrator. 3290

(B) A temporary license for a period not to exceed one 3291
hundred eighty days may be issued to an individual temporarily 3292
filling the position of a nursing home administrator vacated by 3293
reason of death, illness, or other unexpected cause, pursuant to 3294
regulations adopted by the board. 3295

(C) The fee for a temporary license is one hundred 3296
dollars. Said fee must accompany the application for the 3297
temporary license. 3298

(D) Any license or temporary license issued by the board 3299
pursuant to this section shall be under the hand of the 3300
chairperson and the secretary of the board. 3301

(E) A duplicate of the original certificate of 3302
registration or license may be secured to replace one that has 3303
been lost or destroyed by submitting to the board a notarized 3304
statement explaining the conditions of the loss, mutilation, or 3305
destruction of the certificate or license and by paying a fee of 3306
twenty-five dollars. 3307

(F) A duplicate certificate of registration and license 3308
may be issued in the event of a legal change of name by 3309

submitting to the board a certified copy of the court order or 3310
marriage license establishing the change of name, by returning 3311
at the same time the original license and certificate of 3312
registration, and by paying a fee of twenty-five dollars. 3313

Sec. 4751.07. (A) (1) Every individual who holds a valid 3314
license as a nursing home administrator issued under division 3315
(A) of section 4751.06 of the Revised Code, shall immediately 3316
upon issuance thereof be registered with the board of executives 3317
of long-term services and supports and be issued a certificate 3318
of registration. Such individual shall ~~annually~~ biennially apply 3319
to the board for a new certificate of registration on forms 3320
provided for such purpose prior to the expiration of the 3321
certificate of registration and shall at the same time submit 3322
satisfactory evidence to the board of having attended such 3323
continuing education programs or courses of study as may be 3324
prescribed in rules adopted by the board. 3325

(2) Unless online continuing education is prohibited by 3326
board rule, each individual who holds a valid license as a 3327
nursing home administrator issued under division (A) of section 3328
4751.06 of the Revised Code and who is required to take 3329
continuing education courses as prescribed in the rules adopted 3330
by the board may take up to half of the required continuing 3331
education hours online. 3332

(3) A licensee may take more than half of the required 3333
continuing education hours online if permitted by the board. 3334

(4) Nothing in this section requires the board to offer or 3335
permit online continuing education courses. 3336

(B) Upon making an application for a new certificate of 3337
registration such individual shall pay the ~~annual~~ biennial 3338

registration fee of ~~three~~six hundred dollars. 3339

(C) Upon receipt of such application for registration and 3340
the registration fee required by divisions (A) and (B) of this 3341
section, the board shall issue a certificate of registration to 3342
such nursing home administrator. 3343

(D) The license of a nursing home administrator who fails 3344
to comply with this section shall automatically lapse. 3345

(E) A nursing home administrator who has been licensed and 3346
registered in this state who determines to temporarily abandon 3347
the practice of nursing home administration shall notify the 3348
board in writing immediately; provided, that such individual may 3349
thereafter register to resume the practice of nursing home 3350
administration within the state upon complying with the 3351
requirements of this section regarding ~~annual~~biennial 3352
registration. 3353

(F) Only an individual who has qualified as a licensed and 3354
registered nursing home administrator under Chapter 4751. of the 3355
Revised Code and the rules adopted thereunder, and who holds a 3356
valid current registration certificate pursuant to this section, 3357
may use the title "nursing home administrator," or the 3358
abbreviation "N.H.A." after the individual's name. No other 3359
person shall use such title or such abbreviation or any other 3360
words, letters, sign, card, or device tending to indicate or to 3361
imply that the person is a licensed and registered nursing home 3362
administrator. 3363

(G) Every person holding a valid license entitling the 3364
person to practice nursing home administration in this state 3365
shall display said license in the nursing home which is the 3366
person's principal place of employment, and while engaged in the 3367

practice of nursing home administration shall have at hand the 3368
current registration certificate. 3369

(H) Every person holding a valid temporary license shall 3370
have such license at hand while engaged in the practice of 3371
nursing home administration. 3372

Sec. 4759.06. (A) The Ohio board of dietetics shall issue 3373
or renew a license to practice dietetics to an applicant who: 3374

(1) Has satisfactorily completed an application for 3375
licensure in accordance with division (A) of section 4759.05 of 3376
the Revised Code; 3377

(2) Has paid the fee required under division (A) of 3378
section 4759.08 of the Revised Code; 3379

(3) Is a resident of the state or performs or plans to 3380
perform dietetic services within the state; 3381

(4) Is of good moral character; 3382

(5) Has received a baccalaureate or higher degree from an 3383
institution of higher education that is approved by the board or 3384
a regional accreditation agency that is recognized by the 3385
council on postsecondary accreditation, and has completed a 3386
program consistent with the academic standards for dietitians 3387
established by the academy of nutrition and dietetics; 3388

(6) Has successfully completed a pre-professional dietetic 3389
experience approved by the academy of nutrition and dietetics, 3390
or experience approved by the board under division (A) (3) of 3391
section 4759.05 of the Revised Code; 3392

(7) Has passed the examination approved by the board under 3393
division (A) (1) of section 4759.05 of the Revised Code; 3394

(8) Is an applicant for renewal of a license, and has 3395
fulfilled the continuing education requirements adopted under 3396
division (A) (6) of section 4759.05 of the Revised Code. 3397

(B) The board shall waive the requirements of divisions 3398
(A) (5), (6), and (7) of this section and any rules adopted under 3399
division (A) (7) of section 4759.05 of the Revised Code if the 3400
applicant presents satisfactory evidence to the board of current 3401
registration as a registered dietitian with the commission on 3402
dietetic registration. 3403

(C) The board shall waive the requirements of division (A) 3404
(7) of this section if the application for renewal is made 3405
within two years after the date of license expiration. 3406

(D) The board may waive the requirements of division (A) 3407
(5), (6), or (7) of this section or any rules adopted under 3408
division (A) (7) of section 4759.05 of the Revised Code, if the 3409
applicant presents satisfactory evidence of education, 3410
experience, or passing an examination in another state or a 3411
foreign country, that the board considers the equivalent of the 3412
requirements stated in those divisions or rules. 3413

(E) The board shall issue an initial license to practice 3414
dietetics to an applicant who meets the requirements of division 3415
(A) of this section. An initial license shall be valid from the 3416
date of issuance through the thirtieth day of June on the second 3417
year following issuance of the license. Each subsequent license 3418
shall be valid biennially from the first day of July through the 3419
thirtieth day of June on the second year following the renewal 3420
date. The board shall renew the license of an applicant who is 3421
licensed to practice dietetics and who meets the continuing 3422
education requirements of division (A) (6) of section 4759.05 of 3423
the Revised Code. The renewal shall be pursuant to the standard 3424

renewal procedure of sections 4745.01 to 4745.03 of the Revised Code. 3425
3426

(F) The board may grant a limited permit to a person who 3427
has completed the education and pre-professional requirements of 3428
divisions (A) (5) and (6) of this section and who presents 3429
evidence to the board of having applied to take the examination 3430
approved by the board under division (A) (1) of section 4759.05 3431
of the Revised Code. A person holding a limited permit who has 3432
failed the examination shall practice only under the direct 3433
supervision of a licensed dietitian. 3434

(G) A licensed dietitian may place the license in inactive 3435
status. 3436

(H) (1) Unless online continuing education is prohibited by 3437
board rule, a licensed dietitian who is required to take 3438
continuing education courses may take up to half of the required 3439
continuing education hours online. 3440

(2) A licensed dietitian may take more than half of the 3441
required continuing education hours online if permitted by the 3442
board. 3443

(3) Nothing in this section requires the board to offer or 3444
permit online continuing education courses. 3445

Sec. 4759.08. (A) The Ohio board of dietetics shall charge 3446
and collect fees as described in this section for issuing the 3447
following: 3448

(1) An application for an initial dietitian license, or an 3449
application for reactivation of an inactive license, ~~one two~~ 3450
hundred ~~twenty five fifty~~ dollars, and for reinstatement of a 3451
lapsed, revoked, or suspended license, one hundred eighty 3452
dollars; 3453

(2) License renewal, ninety-five <u>one hundred ninety</u>	3454
dollars;	3455
(3) A limited permit, and renewal of the permit, sixty-	3456
five dollars;	3457
(4) A duplicate license or permit, twenty dollars;	3458
(5) For processing a late application for renewal of any	3459
license or permit, an additional fee equal to fifty per cent of	3460
the fee for the renewal.	3461
(B) The board shall not require a licensed dietitian	3462
holding an inactive license to pay the renewal fee.	3463
(C) Subject to the approval of the controlling board, the	3464
Ohio board of dietetics may establish fees in excess of the	3465
amounts provided in division (A) of this section, provided that	3466
the fees do not exceed the amounts by greater than fifty per	3467
cent.	3468
(D) The board may adopt rules pursuant to Chapter 119. of	3469
the Revised Code to waive all or part of the fee for an initial	3470
license if the license is issued within one hundred days of the	3471
date of expiration of the license.	3472
(E) All receipts of the board shall be deposited in the	3473
state treasury to the credit of the occupational licensing and	3474
regulatory fund. All vouchers of the board shall be approved by	3475
the chairperson or secretary of the board, or both, as	3476
authorized by the board.	3477
Sec. 4763.05. (A) (1) (a) A person shall make application	3478
for an initial state-certified general real estate appraiser	3479
certificate, an initial state-certified residential real estate	3480
appraiser certificate, an initial state-licensed residential	3481

real estate appraiser license, or an initial state-registered 3482
real estate appraiser assistant registration in writing to the 3483
superintendent of real estate on a form the superintendent 3484
prescribes. The application shall include the address of the 3485
applicant's principal place of business and all other addresses 3486
at which the applicant currently engages in the business of 3487
preparing real estate appraisals and the address of the 3488
applicant's current residence. The superintendent shall retain 3489
the applicant's current residence address in a separate record 3490
which does not constitute a public record for purposes of 3491
section 149.43 of the Revised Code. The application shall 3492
indicate whether the applicant seeks certification as a general 3493
real estate appraiser or as a residential real estate appraiser, 3494
licensure as a residential real estate appraiser, or 3495
registration as a real estate appraiser assistant and be 3496
accompanied by the prescribed examination and certification, 3497
registration, or licensure fees set forth in section 4763.09 of 3498
the Revised Code. The application also shall include a pledge, 3499
signed by the applicant, that the applicant will comply with the 3500
standards set forth in this chapter; and a statement that the 3501
applicant understands the types of misconduct for which 3502
disciplinary proceedings may be initiated against the applicant 3503
pursuant to this chapter. 3504

(b) Upon the filing of an application and payment of any 3505
examination and certification, registration, or licensure fees, 3506
the superintendent of real estate shall request the 3507
superintendent of the bureau of criminal identification and 3508
investigation, or a vendor approved by the bureau, to conduct a 3509
criminal records check based on the applicant's fingerprints in 3510
accordance with section 109.572 of the Revised Code. 3511
Notwithstanding division (K) of section 121.08 of the Revised 3512

Code, the superintendent of real estate shall request that 3513
criminal record information from the federal bureau of 3514
investigation be obtained as part of the criminal records check. 3515
Any fee required under division (C) (3) of section 109.572 of the 3516
Revised Code shall be paid by the applicant. 3517

(2) For purposes of providing funding for the real estate 3518
appraiser recovery fund established by section 4763.16 of the 3519
Revised Code, the real estate appraiser board shall levy an 3520
assessment against each person issued an initial certificate, 3521
registration, or license and against current licensees, 3522
registrants, and certificate holders, as required by board rule. 3523
The assessment is in addition to the application and examination 3524
fees for initial applicants required by division (A) (1) of this 3525
section and the renewal fees required for current certificate 3526
holders, registrants, and licensees. The superintendent of real 3527
estate shall deposit the assessment into the state treasury to 3528
the credit of the real estate appraiser recovery fund. The 3529
assessment for initial certificate holders, registrants, and 3530
licensees shall be paid prior to the issuance of a certificate, 3531
registration, or license, and for current certificate holders, 3532
registrants, and licensees, at the time of renewal. 3533

(B) An applicant for an initial general real estate 3534
appraiser certificate, residential real estate appraiser 3535
certificate, or residential real estate appraiser license shall 3536
possess experience in real estate appraisal as the board 3537
prescribes by rule. In addition to any other information 3538
required by the board, the applicant shall furnish, under oath, 3539
a detailed listing of the appraisal reports or file memoranda 3540
for each year for which experience is claimed and, upon request 3541
of the superintendent or the board, shall make available for 3542
examination a sample of the appraisal reports prepared by the 3543

applicant in the course of the applicant's practice. 3544

(C) An applicant for an initial certificate, registration, 3545
or license shall be at least eighteen years of age, honest, 3546
truthful, and of good reputation and shall present satisfactory 3547
evidence to the superintendent that the applicant has 3548
successfully completed any education requirements the board 3549
prescribes by rule. 3550

(D) An applicant for an initial general real estate 3551
appraiser or residential real estate appraiser certificate or 3552
residential real estate appraiser license shall take and 3553
successfully complete a written examination in order to qualify 3554
for the certificate or license. 3555

The board shall prescribe the examination requirements by 3556
rule. 3557

(E) (1) A nonresident, natural person of this state who has 3558
complied with this section may obtain a certificate, 3559
registration, or license. The board shall adopt rules relating 3560
to the certification, registration, and licensure of a 3561
nonresident applicant whose state of residence the board 3562
determines to have certification, registration, or licensure 3563
requirements that are substantially similar to those set forth 3564
in this chapter and the rules adopted thereunder. 3565

(2) The board shall recognize on a temporary basis a 3566
certification or license issued in another state and shall 3567
register on a temporary basis an appraiser who is certified or 3568
licensed in another state if all of the following apply: 3569

(a) The temporary registration is to perform an appraisal 3570
assignment that is part of a federally related transaction. 3571

(b) The appraiser's business in this state is of a 3572

temporary nature. 3573

(c) The appraiser registers with the board pursuant to 3574
this division. 3575

An appraiser who is certified or licensed in another state 3576
shall register with the board for temporary practice before 3577
performing an appraisal assignment in this state in connection 3578
with a federally related transaction. 3579

The board shall adopt rules relating to registration for 3580
the temporary recognition of certification and licensure of 3581
appraisers from another state. The registration for temporary 3582
recognition of certified or licensed appraisers from another 3583
state shall not authorize completion of more than one appraisal 3584
assignment in this state. The board shall not issue more than 3585
two registrations for temporary practice to any one applicant in 3586
any calendar year. 3587

(3) In addition to any other information required to be 3588
submitted with the nonresident applicant's or appraiser's 3589
application for a certificate, registration, license, or 3590
temporary recognition of a certificate or license, each 3591
nonresident applicant or appraiser shall submit a statement 3592
consenting to the service of process upon the nonresident 3593
applicant or appraiser by means of delivering that process to 3594
the secretary of state if, in an action against the applicant, 3595
certificate holder, registrant, or licensee arising from the 3596
applicant's, certificate holder's, registrant's, or licensee's 3597
activities as a certificate holder, registrant, or licensee, the 3598
plaintiff, in the exercise of due diligence, cannot effect 3599
personal service upon the applicant, certificate holder, 3600
registrant, or licensee. 3601

(F) The superintendent shall not issue a certificate, 3602
registration, or license to, or recognize on a temporary basis 3603
an appraiser from another state that is a corporation, 3604
partnership, or association. This prohibition shall not be 3605
construed to prevent a certificate holder or licensee from 3606
signing an appraisal report on behalf of a corporation, 3607
partnership, or association. 3608

(G) Every person licensed, registered, or certified under 3609
this chapter shall notify the superintendent, on a form provided 3610
by the superintendent, of a change in the address of the 3611
licensee's, registrant's, or certificate holder's principal 3612
place of business or residence within thirty days of the change. 3613
If a licensee's, registrant's, or certificate holder's license, 3614
registration, or certificate is revoked or not renewed, the 3615
licensee, registrant, or certificate holder immediately shall 3616
return the ~~annual and any renewal~~ certificate, registration, or 3617
license to the superintendent. 3618

(H) (1) The superintendent shall not issue a certificate, 3619
registration, or license to any person, or recognize on a 3620
temporary basis an appraiser from another state, who does not 3621
meet applicable minimum criteria for state certification, 3622
registration, or licensure prescribed by federal law or rule. 3623

(2) The superintendent shall not issue a general real 3624
estate appraiser certificate, residential real estate appraiser 3625
certificate, residential real estate appraiser license, or real 3626
estate appraiser assistant registration to any person who has 3627
been convicted of or pleaded guilty to any criminal offense 3628
involving theft, receiving stolen property, embezzlement, 3629
forgery, fraud, passing bad checks, money laundering, or drug 3630
trafficking, or any criminal offense involving money or 3631

securities, including a violation of an existing or former law 3632
of this state, any other state, or the United States that 3633
substantially is equivalent to such an offense. However, if the 3634
applicant has pleaded guilty to or been convicted of such an 3635
offense, the superintendent shall not consider the offense if 3636
the applicant has proven to the superintendent, by a 3637
preponderance of the evidence, that the applicant's activities 3638
and employment record since the conviction show that the 3639
applicant is honest, truthful, and of good reputation, and there 3640
is no basis in fact for believing that the applicant will commit 3641
such an offense again. 3642

Sec. 4763.06. (A) A person licensed, registered, or 3643
certified under this chapter may obtain a renewal certificate, 3644
registration, or license by filing a renewal application with 3645
and paying the renewal fee set forth in section 4763.09 of the 3646
Revised Code and any amount assessed pursuant to division (A) (2) 3647
of section 4763.05 of the Revised Code to the superintendent of 3648
real estate. The renewal application shall include a statement, 3649
signed by the certificate holder, registrant, or licensee, that 3650
the certificate holder, registrant, or licensee has not, during 3651
the immediately preceding ~~twelve-month~~ license or registration 3652
period, been convicted of or pleaded guilty to any criminal 3653
offense described in division (H) (2) of section 4763.05 of the 3654
Revised Code. The certificate holder, registrant, or licensee 3655
shall file the renewal application at least thirty days, but no 3656
earlier than one hundred twenty days, prior to expiration of the 3657
certificate holder's, registrant's, or licensee's current 3658
certificate, registration, or license. 3659

(B) A certificate holder, registrant, or licensee who 3660
fails to renew a certificate, registration, or license prior to 3661
its expiration is ineligible to obtain a renewal certificate, 3662

registration, or license and shall comply with section 4763.05 3663
of the Revised Code in order to regain certification, 3664
registration, or licensure, except that a certificate holder, 3665
registrant, or licensee may renew the certificate, registration, 3666
or license without having to comply with section 4763.05 of the 3667
Revised Code by doing either of the following: 3668

(1) Filing a renewal application and submitting payment of 3669
all fees for renewal and payment of the late filing fee set 3670
forth in section 4763.09 of the Revised Code within three months 3671
after the expiration of the certificate holder's, registrant's, 3672
or licensee's certificate, registration, or license; 3673

(2) Obtaining a medical exception under division (C) of 3674
this section, filing a renewal application, and submitting 3675
payment of all fees for renewal and payment of the late filing 3676
fee set forth in section 4763.09 of the Revised Code. A 3677
certificate holder, registrant, or licensee who applies for late 3678
renewal of the certificate holder's, registrant's, or licensee's 3679
certificate, registration, or license may not engage in any 3680
activities permitted by the certification, registration, or 3681
license being renewed during the three-month period following 3682
the certificate's, registration's, or license's normal 3683
expiration date, or during the time period for which a medical 3684
exception applies, until all renewal fees and the late filing 3685
fee have been paid. 3686

(C) The superintendent may grant a medical exception upon 3687
application by a person certified, registered, or licensed under 3688
this chapter. To receive an exception, the certificate holder, 3689
registrant, or licensee shall submit a request to the 3690
superintendent with proof satisfactory that a medical exception 3691
is warranted. If the superintendent makes a determination that 3692

satisfactory proof has not been presented, within fifteen days 3693
of the date of the denial of the medical exception the 3694
certificate holder, registrant, or licensee may file with the 3695
division of real estate a request that the real estate appraiser 3696
board review the determination. The board may adopt reasonable 3697
rules in accordance with Chapter 119. of the Revised Code to 3698
implement this division. 3699

Sec. 4763.07. (A) Every state-certified general real 3700
estate appraiser, state-certified residential real estate 3701
appraiser, and state-licensed residential real estate appraiser 3702
shall submit proof of successfully completing a minimum of 3703
~~fourteen-twenty-eight~~ classroom hours of continuing education 3704
instruction in courses or seminars approved by the real estate 3705
appraiser board. The certificate holder and licensee shall have 3706
satisfied the ~~fourteen-hour-twenty-eight-hour~~ continuing 3707
education requirements within the ~~one-year-two-year~~ period 3708
immediately following the issuance of the initial certificate or 3709
license and shall satisfy those requirements ~~annually-biennially~~ 3710
thereafter. A state-registered real estate appraiser assistant 3711
who remains in this classification for more than two years shall 3712
satisfy in the third and successive years this section's 3713
requirements. A certificate holder, licensee, or registrant who 3714
fails to submit proof to the superintendent of meeting these 3715
requirements is ineligible to obtain a renewal certificate, 3716
license, or registration and shall comply with section 4763.05 3717
of the Revised Code in order to regain a certificate, license, 3718
or registration, except that the certificate holder, licensee, 3719
or registrant may submit proof to the superintendent of meeting 3720
these requirements within three months after the date of 3721
expiration of the certificate, license, or registration, or by 3722
obtaining a medical exception under division (E) of this 3723

section, without having to comply with section 4763.05 of the Revised Code. A certificate holder, licensee, or registrant may not engage in any activities permitted by the certificate, license, or registration during the three-month period following the certificate's, license's, or registration's normal expiration date or during the time period for which a medical exception applies.

A certificate holder, licensee, or registrant may satisfy all or a portion of the required hours of classroom instruction in the following manner:

(1) Completion of an educational program of study determined by the board to be equivalent, for continuing education purposes, to courses or seminars approved by the board;

(2) Participation, other than as a student, in educational processes or programs approved by the board that relate to real estate appraisal theory, practices, or techniques.

A certificate holder, licensee, or registrant shall present to the superintendent of real estate evidence of the manner in which the certificate holder, licensee, or registrant satisfied the requirements of division (A) of this section.

(B) The board shall adopt rules for implementing a continuing education program for state-certified general real estate appraisers, state-certified residential real estate appraisers, state-licensed residential real estate appraisers, and state-registered real estate appraiser assistants for the purpose of assuring that certificate holders, licensees, and registrants have current knowledge of real estate appraisal theories, practices, and techniques that will provide a high

degree of service and protection to members of the public. In 3753
addition to any other provisions the board considers 3754
appropriate, the rules adopted by the board shall prescribe the 3755
following: 3756

(1) Policies and procedures for obtaining board approval 3757
of courses of instruction and seminars; 3758

(2) Standards, policies, and procedures to be applied in 3759
evaluating the alternative methods of complying with continuing 3760
education requirements set forth in divisions (A) (1) and (2) of 3761
this section; 3762

(3) Standards, monitoring methods, and systems for 3763
recording attendance to be employed by course sponsors as a 3764
prerequisite to approval of courses for continuing education 3765
credit. 3766

(C) No amendment or rescission of a rule the board adopts 3767
pursuant to division (B) of this section shall operate to 3768
deprive a certificate holder or licensee of credit toward 3769
renewal of certification or licensure for any course of 3770
instruction completed by the certificate holder or licensee 3771
prior to the effective date of the amendment or rescission that 3772
would have qualified for credit under the rule as it existed 3773
prior to amendment or rescission. 3774

(D) The superintendent of real estate shall not issue a 3775
renewal certificate, registration, or license to any person who 3776
does not meet applicable minimum criteria for state 3777
certification, registration, or licensure prescribed by federal 3778
law or rule. 3779

(E) The superintendent may grant a medical exception upon 3780
application by a person certified, registered, or licensed under 3781

this chapter. To receive an exception, the certificate holder, 3782
registrant, or licensee shall submit a request to the 3783
superintendent with proof satisfactory that a medical exception 3784
is warranted. If the superintendent makes a determination that 3785
satisfactory proof has not been presented, within fifteen days 3786
of the date of the denial of the medical exception, the 3787
certificate holder, registrant, or licensee may file with the 3788
division of real estate a request that the real estate appraiser 3789
board review the determination. The board may adopt reasonable 3790
rules in accordance with Chapter 119. of the Revised Code to 3791
implement this division. 3792

(F) (1) Unless online continuing education is prohibited by 3793
board rule, a state-certified general real estate appraiser, 3794
state-certified residential real estate appraiser, and state- 3795
licensed residential real estate appraiser who is required to 3796
take continuing education instruction under division (A) of this 3797
section may take up to half of the required continuing education 3798
hours online. 3799

(2) A state-certified general real estate appraiser, 3800
state-certified residential real estate appraiser, and state- 3801
licensed residential real estate appraiser may take more than 3802
half of the required continuing education instruction online if 3803
permitted by the board. 3804

(3) Nothing in this section requires the board to offer or 3805
permit online continuing education instruction. 3806

Sec. 4763.08. ~~On and after December 22, 1992, each~~ Each 3807
certificate, ~~registration,~~ and license issued under this 3808
chapter, other than a temporary certificate or license issued 3809
under division (E) (2) of section 4763.05 of the Revised Code, is 3810
valid for a period of ~~one year~~ two years from its date of 3811

issuance. Each registration issued under this chapter is valid 3812
for a period of one year from its date of issuance. The 3813
superintendent of real estate shall provide renewal notices to 3814
certificate holders, registrants, and licensees no later than 3815
thirty days prior to the expiration of the certificate, 3816
registration, or license. The superintendent shall issue to each 3817
person initially certified, registered, or licensed under this 3818
chapter a certificate, registration, or license in the form and 3819
size the superintendent prescribes. The initial certificate, 3820
registration, and license shall indicate the name of the 3821
certificate holder, registrant, or licensee, bear the signatures 3822
of the members of the real estate appraiser board, be issued 3823
under the seal prescribed in section 121.20 of the Revised Code, 3824
and contain a certificate, registration, or license number 3825
assigned by the superintendent. The superintendent shall issue 3826
to each person who renews a certificate, registration, or 3827
license a renewal certificate, registration, or license in the 3828
size and form the superintendent prescribes. The renewal 3829
certificate, registration, or license shall contain the name and 3830
principal address of the certificate holder, registrant, or 3831
licensee and the expiration and number of the certificate, 3832
registration, or license. Each certificate holder and licensee 3833
shall place the certificate holder's or licensee's certificate 3834
or license number adjacent to the title "state-licensed 3835
residential real estate appraiser," "state-certified residential 3836
real estate appraiser," or "state-certified general real estate 3837
appraiser," when issuing an appraisal report or in a contract or 3838
other instrument used in conducting real estate appraisal 3839
activities as required by section 4763.12 of the Revised Code. 3840
If a state-registered real estate appraiser assistant 3841
participated in the development of an appraisal or specialized 3842
service report, the certificate holder or licensee shall also 3843

place the registrant's name, registration number, and the title 3844
"state-registered real estate appraiser assistant" on the 3845
appraisal or report. 3846

Sec. 4763.09. (A) The real estate appraiser board shall 3847
adopt rules, in accordance with Chapter 119. of the Revised 3848
Code, for the establishment of the following fees: 3849

(1) The examination fee required under division (A) of 3850
section 4763.05 of the Revised Code, up to a maximum of one 3851
hundred fifty dollars, which fee shall be nonrefundable; 3852

(2) The initial state-certified general real estate 3853
appraiser and state-certified residential real estate appraiser 3854
certification and state-licensed residential real estate 3855
appraiser license fees, and the ~~annual~~ biennial renewal thereof, 3856
up to a maximum of ~~one three~~ one hundred ~~seventy five~~ seventy five ~~fifty~~ fifty dollars 3857
each; 3858

(3) The initial real estate appraiser assistant 3859
registration fee, and the annual renewal thereof, up to a 3860
maximum of one hundred dollars; 3861

(4) The late filing fee for renewal of a certification, 3862
registration, or license, which shall be one-half of the 3863
certification, registration, and licensure fees established 3864
pursuant to divisions (A) (2) and (3) of this section; 3865

(5) The amount to be charged to cover the cost of the 3866
issuance of a temporary certificate or license under division 3867
(E) (2) of section 4763.05 of the Revised Code; 3868

(6) Other reasonable fees as needed, including any annual 3869
pass-through charges imposed by the federal government. 3870

(B) An applicant for certification or licensure under this 3871

chapter shall pay the examination fee directly to a testing 3872
service if so prescribed and in such amount as the 3873
superintendent of real estate prescribes. The balance, if any, 3874
of the examination fee shall accompany the application. 3875

Sec. 4779.19. A license issued under section 4779.09 of 3876
the Revised Code or renewed under section 4779.20 of the Revised 3877
Code is valid from the date of issuance until the date it 3878
expires, unless earlier suspended or revoked. An initial license 3879
and each renewed license expires on the thirty-first day of 3880
January ~~immediately succeeding the date of issuance~~ on a 3881
biennial basis. 3882

Sec. 4779.23. (A) To be eligible for approval by the state 3883
board of orthotics, prosthetics, and pedorthics, a continuing 3884
education course must satisfy all of the following requirements: 3885

(1) Include significant intellectual or practical content 3886
and be designed to improve the professional competence of 3887
participants; 3888

(2) Deal with matters directly related to the practice of 3889
orthotics, prosthetics, or pedorthics, including professional 3890
responsibility, ethical obligations, or similar subjects that 3891
the board considers necessary to maintain and improve the 3892
quality of orthotic and prosthetic services in this state; 3893

(3) Involve in-person instruction, except that a course 3894
may use self-study materials if the materials are prepared and 3895
presented by a group with appropriate practical experience; 3896

(4) Be presented in a setting that is physically suited to 3897
the course; 3898

(5) Include thorough, high-quality written material; 3899

(6) Meet any other requirements the board considers appropriate. 3900
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(B) The board shall, in accordance with the standards in division (A) of this section, review and approve continuing education courses. If the board does not approve a course, it shall provide a written explanation of the reason for the denial to the person that requested approval. The board may approve continuing education courses approved by boards of other states that regulate orthotics, prosthetics, and pedorthics if the other board's standards for approving continuing education courses are equivalent to the standards established pursuant to division (A) of this section. 3902
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(C) (1) Unless online continuing education is prohibited by board rule, a licensee required to take continuing education courses under this chapter may take up to half of the required continuing education units online. 3912
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(2) A licensee may take more than half of the required continuing education units online if permitted by the board. 3916
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(3) Nothing in this section requires the board to offer or permit online continuing education courses. 3918
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Section 2. That existing sections 1321.05, 1321.08, 1321.20, 1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 3773.36, 3773.42, 3773.43, 4707.071, 4707.10, 4725.16, 4725.17, 4725.171, 4725.34, 4725.51, 4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 4735.14, 4735.141, 4735.27, 4735.29, 4736.11, 4736.12, 4740.04, 4740.05, 4740.06, 4747.05, 4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 4759.06, 4759.08, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4779.19, and 4779.23 of the Revised Code are hereby repealed. 3920
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Section 3. Section 4740.06 of the Revised Code is 3929
presented in this act as a composite of the section as amended 3930
by both Am. Sub. H.B. 486 and Sub. S.B. 78 of the 130th General 3931
Assembly. The General Assembly, applying the principle stated in 3932
division (B) of section 1.52 of the Revised Code that amendments 3933
are to be harmonized if reasonably capable of simultaneous 3934
operation, finds that the composite is the resulting version of 3935
the section in effect prior to the effective date of the section 3936
as presented in this act. 3937

Section 4. (A) The extension of the duration of 3938
occupational licenses and certifications by this act shall apply 3939
to licenses and certifications that are issued or renewed on or 3940
after the effective date of this act. Licenses and 3941
certifications in effect on the effective date of this act shall 3942
continue in effect until their existing expiration date and any 3943
continuing education required for renewal shall be the amount in 3944
effect prior to the effective date of this act. 3945

(B) A governing board relating to a license or 3946
certification affected by this act shall do both of the 3947
following: 3948

(1) If the board has adopted a rule or other requirement 3949
relating to the duration of licenses or certifications extended 3950
by this act, the board shall revise its rules to comply with 3951
this act. 3952

(2) If the board has adopted a rule or other requirement 3953
imposing continuing education requirements measured on an annual 3954
basis, the board shall revise the rule or requirement to adjust 3955
the continuing education requirement to reflect the biennial 3956
renewal period. 3957