

**As Reported by the Senate Government Oversight and Reform  
Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**Sub. H. B. No. 115**

**Representatives Gavarone, Wiggam**

**Cosponsors: Representatives Ryan, Greenspan, Kick, Goodman, Hambley,  
Thompson, Arndt, Lipps, Patton, Stein, Riedel, Ginter, Conditt, Boyd, Barnes,  
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Perales, Reineke, Retherford, Rezabek, Rogers, Romanchuk, Schaffer, Scherer,  
Schuring, Seitz, Slaby, Smith, K., Smith, R., Sprague, Sweeney, West, Young**

**Senators Bacon, Coley**

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**A BILL**

To enact sections 3304.23 and 5502.08 of the	1
Revised Code to require the Department of Public	2
Safety to establish a database of persons who	3
are diagnosed with a communication disability or	4
a disability that can impair communication and	5
to require the Opportunities for Ohioans with	6
Disabilities Agency to establish a verification	7
form for persons to voluntarily register for	8
inclusion in the database.	9

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

<b>Section 1.</b> That sections 3304.23 and 5502.08 of the	10
Revised Code be enacted to read as follows:	11

Sec. 3304.23. (A) As used in this section: 12

(1) "Communication disability" means a human condition 13  
involving an impairment in the human's ability to receive, send, 14  
process, or comprehend concepts or verbal, nonverbal, or graphic 15  
symbol systems that may result in a primary disability or may be 16  
secondary to other disabilities. 17

(2) "Disability that can impair communication" means a 18  
human condition with symptoms that can impair the human's 19  
ability to receive, send, process, or comprehend concepts or 20  
verbal, nonverbal, or graphic symbol systems. 21

(3) "Guardian" has the same meaning as in section 2111.01 22  
of the Revised Code. 23

(4) "Physician" means a person licensed to practice 24  
medicine or surgery or osteopathic medicine and surgery under 25  
Chapter 4731. of the Revised Code. 26

(5) "Psychiatrist" has the same meaning as in section 27  
5122.01 of the Revised Code. 28

(6) "Psychologist" has the same meaning as in section 29  
4732.01 of the Revised Code. 30

(B) The opportunities for Ohioans with disabilities agency 31  
shall develop a verification form for a person diagnosed with a 32  
communication disability or a disability that can impair 33  
communication to be submitted voluntarily to the department of 34  
public safety so that the person may be included in the database 35  
established under section 5502.08 of the Revised Code. The same 36  
form shall be used to indicate that the person wishes to be 37  
removed from the database in accordance with division (F) of 38  
section 5502.08 of the Revised Code. 39

- (C) The form shall include the following information: 40
- (1) The name of the person diagnosed with a communication disability or a disability that can impair communication; 41  
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- (2) The name of the person completing the form on behalf of the person diagnosed with a communication disability or a disability that can impair communication, if applicable; 43  
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- (3) The relationship between the person completing the form and the person diagnosed with a communication disability or a disability that can impair communication, if applicable; 46  
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- (4) The driver's license number or state identification card number issued to the person diagnosed with a communication disability or a disability that can impair communication, if that person has such a number; 49  
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- (5) The license plate number of each vehicle owned, operated, or regularly occupied by the person diagnosed with a communication disability or a disability that can impair communication or registered in that person's name; 53  
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- (6) A physician, psychiatrist, or psychologist's signed certification that the person has been diagnosed with a communication disability or a disability that can impair communication; 57  
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- (7) The name, business address, business telephone number, and medical license number of the physician, psychiatrist, or psychologist making the certification; 61  
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- (8) The signature of the person diagnosed with a communication disability or a disability that can impair communication or the signature of the person completing the form on behalf of such a person; 64  
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(9) A place where the person diagnosed with a 68  
communication disability or a disability that can impair 69  
communication or the person completing the form on behalf of 70  
such a person may indicate the desire to be removed from the 71  
database. 72

(D) Any of the following persons may complete the 73  
verification form: 74

(1) Any person diagnosed with a communication disability 75  
or a disability that can impair communication who is eighteen 76  
years of age or older; 77

(2) The parent or parents of a minor child diagnosed with 78  
a communication disability or a disability that can impair 79  
communication; 80

(3) The guardian of a person diagnosed with a 81  
communication disability or a disability that can impair 82  
communication, regardless of the age of the person. 83

(E) The opportunities for Ohioans with disabilities agency 84  
and the department of public safety shall make the verification 85  
form electronically available on each of their respective web 86  
sites. 87

**Sec. 5502.08. (A) As used in this section:** 88

(1) "Communication disability" has the same meaning as in 89  
section 3304.23 of the Revised Code. 90

(2) "Disability that can impair communication" has the 91  
same meaning as in section 3304.23 of the Revised Code. 92

(3) "Guardian" has the same meaning as in section 2111.01 93  
of the Revised Code. 94

<u>(4) "Ward" has the same meaning as in section 2111.01 of</u>	95
<u>the Revised Code.</u>	96
<u>(B) The department of public safety shall establish and</u>	97
<u>maintain a database of persons who register under this section</u>	98
<u>as being diagnosed with a communication disability or a</u>	99
<u>disability that can impair communication.</u>	100
<u>(C) Any person diagnosed with a communication disability</u>	101
<u>or a disability that can impair communication who is eighteen</u>	102
<u>years of age or older may register with the department for</u>	103
<u>inclusion in the database by submitting a completed verification</u>	104
<u>form established by the opportunities for Ohioans with</u>	105
<u>disabilities agency under section 3304.23 of the Revised Code.</u>	106
<u>(D) Any parent or guardian of a minor child or a ward</u>	107
<u>diagnosed with a communication disability or a disability that</u>	108
<u>can impair communication may register the minor child or the</u>	109
<u>ward with the department for inclusion in the database by</u>	110
<u>submitting a completed verification form established by the</u>	111
<u>opportunities for Ohioans with disabilities agency under section</u>	112
<u>3304.23 of the Revised Code.</u>	113
<u>(E) (1) The department shall include in the database</u>	114
<u>information provided on a completed verification form that the</u>	115
<u>department determines is necessary for a law enforcement officer</u>	116
<u>to identify a person as diagnosed with a communication</u>	117
<u>disability or a disability that can impair communication. The</u>	118
<u>department shall make the database available to state and local</u>	119
<u>law enforcement officers through the law enforcement automated</u>	120
<u>data system.</u>	121
<u>(2) Information in the database is not a public record</u>	122
<u>subject to inspection or copying under section 149.43 of the</u>	123

Revised Code. 124

(F) A person diagnosed with a communication disability or 125  
a disability that can impair communication who is included in 126  
the database or the parent or guardian of a minor child or a 127  
ward diagnosed with a communication disability or a disability 128  
that can impair communication who is included in the database 129  
may request removal of the person, minor, or ward, as 130  
applicable, from the database. The person, parent, or guardian 131  
shall do so by completing the verification form with only the 132  
information required under divisions (C) (1), (2), (3), (8), and 133  
(9) of section 3304.23 of the Revised Code, as applicable, and 134  
submitting the form to the department. Upon receipt of a 135  
properly completed verification form requesting the removal of a 136  
person with a communication disability or a disability that can 137  
impair communication from the database, the department shall 138  
immediately remove that person from the database. 139