

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 238

Representatives Retherford, Brenner

Cosponsors: Representatives Lanese, Vitale, Goodman, Bocchieri, Koehler

A BILL

To amend sections 111.16, 111.17, 1703.31, 1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 and to enact sections 5903.21, 5903.22, 5903.23, 5903.24, and 5903.25 of the Revised Code to establish the Veterans Fee Waiver Program.

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

Section 1. That sections 111.16, 111.17, 1703.31, 1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 be amended and sections 5903.21, 5903.22, 5903.23, 5903.24, and 5903.25 of the Revised Code be enacted to read as follows:

Sec. 111.16. The secretary of state shall charge and collect, for the benefit of the state, the following fees:

(A) For filing and recording articles of incorporation of a domestic corporation, including designation of agent:

(1) Wherein the corporation shall not be authorized to issue any shares of capital stock, ninety-nine dollars;

(2) Wherein the corporation shall be authorized to issue shares of capital stock, with or without par value:

(a) Ten cents for each share authorized up to and including one thousand shares;	18 19
(b) Five cents for each share authorized in excess of one thousand shares up to and including ten thousand shares;	20 21
(c) Two cents for each share authorized in excess of ten thousand shares up to and including fifty thousand shares;	22 23
(d) One cent for each share authorized in excess of fifty thousand shares up to and including one hundred thousand shares;	24 25
(e) One-half cent for each share authorized in excess of one hundred thousand shares up to and including five hundred thousand shares;	26 27 28
(f) One-quarter cent for each share authorized in excess of five hundred thousand shares; provided no fee shall be less than ninety-nine dollars or greater than one hundred thousand dollars.	29 30 31 32
(B) For filing and recording a certificate of amendment to or amended articles of incorporation of a domestic corporation, or for filing and recording a certificate of reorganization, a certificate of dissolution, or an amendment to a foreign license application:	33 34 35 36 37
(1) If the domestic corporation is not authorized to issue any shares of capital stock, fifty dollars;	38 39
(2) If the domestic corporation is authorized to issue shares of capital stock, fifty dollars, and in case of any increase in the number of shares authorized to be issued, a further sum computed in accordance with the schedule set forth in division (A) (2) of this section less a credit computed in the same manner for the number of shares previously authorized to be	40 41 42 43 44 45

issued by the corporation; provided no fee under division (B) (2) 46
of this section shall be greater than one hundred thousand 47
dollars; 48

(3) If the foreign corporation is not authorized to issue 49
any shares of capital stock, fifty dollars; 50

(4) If the foreign corporation is authorized to issue 51
shares of capital stock, fifty dollars. 52

(C) For filing and recording articles of incorporation of 53
a savings and loan association, ninety-nine dollars; and for 54
filing and recording a certificate of amendment to or amended 55
articles of incorporation of a savings and loan association, 56
fifty dollars; 57

(D) For filing and recording a certificate of conversion, 58
including a designation of agent, a certificate of merger, or a 59
certificate of consolidation, ninety-nine dollars and, in the 60
case of any new corporation resulting from a consolidation or 61
any surviving corporation that has an increased number of shares 62
authorized to be issued resulting from a merger, an additional 63
sum computed in accordance with the schedule set forth in 64
division (A) (2) of this section less a credit computed in the 65
same manner for the number of shares previously authorized to be 66
issued or represented in this state by each of the corporations 67
for which a consolidation or merger is effected by the 68
certificate; 69

(E) For filing and recording articles of incorporation of 70
a credit union or the American credit union guaranty 71
association, ninety-nine dollars, and for filing and recording a 72
certificate of increase in capital stock or any other amendment 73
of the articles of incorporation of a credit union or the 74

association, fifty dollars;	75
(F) For filing and recording articles of organization of a limited liability company, for filing and recording an application to become a registered foreign limited liability company, for filing and recording a registration application to become a domestic limited liability partnership, or for filing and recording an application to become a registered foreign limited liability partnership, ninety-nine dollars;	76 77 78 79 80 81 82
(G) For filing and recording a certificate of limited partnership or an application for registration as a foreign limited partnership, or for filing an initial statement of partnership authority pursuant to section 1776.33 of the Revised Code, ninety-nine dollars;	83 84 85 86 87
(H) For filing a copy of papers evidencing the incorporation of a municipal corporation or of annexation of territory by a municipal corporation, five dollars, to be paid by the municipal corporation, the petitioners therefor, or their agent;	88 89 90 91 92
(I) For filing and recording any of the following:	93
(1) A license to transact business in this state by a foreign corporation for profit pursuant to section 1703.04 of the Revised Code or a foreign nonprofit corporation pursuant to section 1703.27 of the Revised Code, ninety-nine dollars;	94 95 96 97
(2) A biennial report or biennial statement pursuant to section 1775.63, 1776.83, or 1785.06 of the Revised Code, twenty-five dollars;	98 99 100
(3) Except as otherwise provided in this section or any other section of the Revised Code, any other certificate or paper that is required to be filed and recorded or is permitted	101 102 103

to be filed and recorded by any provision of the Revised Code	104
with the secretary of state, twenty-five dollars.	105
(J) For filing any certificate or paper not required to be	106
recorded, five dollars;	107
(K) (1) For making copies of any certificate or other paper	108
filed in the office of the secretary of state, a fee not to	109
exceed one dollar per page, except as otherwise provided in the	110
Revised Code, and for creating and affixing the seal of the	111
office of the secretary of state to any good standing or other	112
certificate, five dollars. For copies of certificates or papers	113
required by state officers for official purpose, no charge shall	114
be made.	115
(2) For creating and affixing the seal of the office of	116
the secretary of state to the certificates described in division	117
(E) of section 1701.81, division (E) of section 1701.811,	118
division (E) of section 1705.38, division (E) of section	119
1705.381, division (D) of section 1702.43, division (E) of	120
section 1775.47, division (E) of section 1775.55, division (E)	121
of section 1776.70, division (E) of section 1776.74, division	122
(E) of section 1782.433, or division (E) of section 1782.4310 of	123
the Revised Code, twenty-five dollars.	124
(L) For a minister's license to solemnize marriages, ten	125
dollars;	126
(M) For examining documents to be filed at a later date	127
for the purpose of advising as to the acceptability of the	128
proposed filing, fifty dollars;	129
(N) Fifty dollars for filing and recording any of the	130
following:	131
(1) A certificate of dissolution and accompanying	132

documents, or a certificate of cancellation, under section	133
1701.86, 1702.47, 1705.43, 1776.65, or 1782.10 of the Revised	134
Code;	135
(2) A notice of dissolution of a foreign licensed	136
corporation or a certificate of surrender of license by a	137
foreign licensed corporation under section 1703.17 of the	138
Revised Code;	139
(3) The withdrawal of registration of a foreign or	140
domestic limited liability partnership under section 1775.61,	141
1775.64, 1776.81, or 1776.86 of the Revised Code, or the	142
certificate of cancellation of registration of a foreign limited	143
liability company under section 1705.57 of the Revised Code;	144
(4) The filing of a statement of denial under section	145
1776.34 of the Revised Code, a statement of dissociation under	146
section 1776.57 of the Revised Code, a statement of disclaimer	147
of general partner status under Chapter 1782. of the Revised	148
Code, or a cancellation of disclaimer of general partner status	149
under Chapter 1782. of the Revised Code.	150
(O) For filing a statement of continued existence by a	151
nonprofit corporation, twenty-five dollars;	152
(P) For filing a restatement under section 1705.08 or	153
1782.09 of the Revised Code, an amendment to a certificate of	154
cancellation under section 1782.10 of the Revised Code, an	155
amendment under section 1705.08 or 1782.09 of the Revised Code,	156
or a correction under section 1705.55, 1775.61, 1775.64,	157
1776.12, or 1782.52 of the Revised Code, fifty dollars;	158
(Q) For filing for reinstatement of an entity cancelled by	159
operation of law, by the secretary of state, by order of the	160
department of taxation, or by order of a court, twenty-five	161

dollars;	162
(R) For filing and recording any of the following:	163
(1) A change of agent, resignation of agent, or change of agent's address under section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 1746.04, 1747.03, 1776.07, or 1782.04 of the Revised Code, twenty-five dollars;	164 165 166 167
(2) A multiple change of agent name or address, standardization of agent address, or resignation of agent under section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 1746.04, 1747.03, 1776.07, or 1782.04 of the Revised Code, one hundred twenty-five dollars, plus three dollars per entity record being changed, by the multiple agent update.	168 169 170 171 172 173
(S) For filing and recording any of the following:	174
(1) An application for the exclusive right to use a name or an application to reserve a name for future use under section 1701.05, 1702.05, 1703.31, 1705.05, or 1746.06 of the Revised Code, thirty-nine dollars;	175 176 177 178
(2) A trade name or fictitious name registration or report, thirty-nine dollars;	179 180
(3) An application to renew any item covered by division (S)(1) or (2) of this section that is permitted to be renewed, twenty-five dollars;	181 182 183
(4) An assignment of rights for use of a name covered by division (S)(1), (2), or (3) of this section, the cancellation of a name registration or name reservation that is so covered, or notice of a change of address of the registrant of a name that is so covered, twenty-five dollars.	184 185 186 187 188
(T) For filing and recording a report to operate a	189

business trust or a real estate investment trust, either foreign 190
or domestic, ninety-nine dollars; and for filing and recording 191
an amendment to a report or associated trust instrument, or a 192
surrender of authority, to operate a business trust or real 193
estate investment trust, fifty dollars; 194

(U) (1) For filing and recording the registration of a 195
trademark, service mark, or mark of ownership, one hundred 196
twenty-five dollars; 197

(2) For filing and recording the change of address of a 198
registrant, the assignment of rights to a registration, a 199
renewal of a registration, or the cancellation of a registration 200
associated with a trademark, service mark, or mark of ownership, 201
twenty-five dollars. 202

(V) For filing a service of process with the secretary of 203
state, five dollars, except as otherwise provided in any section 204
of the Revised Code. 205

Fees specified in this section may be paid by cash, check, 206
or money order, by credit card in accordance with section 113.40 207
of the Revised Code, or by an alternative payment program in 208
accordance with division (B) of section 111.18 of the Revised 209
Code. Any credit card number or the expiration date of any 210
credit card is not subject to disclosure under Chapter 149. of 211
the Revised Code. 212

The fees specified in divisions (A), (F), (G), and (S) of 213
this section are subject to sections 5903.21 to 5903.25 of the 214
Revised Code relating to the veterans fee waiver program. 215

Sec. 111.17. The secretary of state shall not file or 216
record articles of incorporation or consolidation, certificates, 217
or other papers referred to in section 111.16 of the Revised 218

Code unless the fee has been paid or the fee is waived under the 219
veterans fee waiver program under sections 5903.21 to 5903.25 of 220
the Revised Code. 221

Sec. 1703.31. (A) Any foreign corporation may register its 222
corporate name, if its corporate name is available for use under 223
division (D) of section 1703.04 of the Revised Code, by filing 224
in the office of the secretary of state an application, on a 225
form prescribed by the secretary of state, that contains the 226
following information: 227

(1) The exact corporate name to be registered; 228

(2) The complete address of the principal office of the 229
corporation; 230

(3) The jurisdiction of its incorporation; 231

(4) The date of its incorporation; 232

(5) A statement that it is carrying on or doing business; 233

(6) The general nature of the business in which it is 234
engaged; 235

(7) Any other information required by the secretary of 236
state. 237

The application shall be signed and verified by an officer 238
of the applicant. 239

The application shall be accompanied by a certificate 240
stating that the corporation is in good standing under the laws 241
of the jurisdiction of its incorporation, which certificate 242
shall be executed by the official of the jurisdiction having 243
custody of the records pertaining to corporations and dated not 244
earlier than sixty days prior to the filing of the application. 245

The filing fee specified in division (S) (1) of section 246
111.16 of the Revised Code shall accompany the application 247
unless the fee is waived under the veterans fee waiver program 248
under sections 5903.21 to 5903.25 of the Revised Code. 249

(B) Registration of a corporate name under this section is 250
effective for a term of one year from the date of registration. 251
Upon application, on a form prescribed by the secretary of 252
state, filed with the secretary of state prior to the expiration 253
of each one-year term, the registration may be renewed for an 254
additional term. The renewal application shall set forth the 255
facts required to be set forth in the original application for 256
registration, together with a certificate of good standing as 257
required for the initial registration. 258

The secretary of state shall notify registrants within the 259
three months before the expiration of one year from the date of 260
registration of the necessity of renewal by writing to the 261
principal office address of the registrants as shown upon the 262
current registration in effect. 263

The renewal fee specified in division (S) (3) of section 264
111.16 of the Revised Code, payable to the secretary of state, 265
shall accompany the application for renewal of the registration. 266

Sec. 1729.12. (A) For filing articles of incorporation or 267
a certificate of amendment of articles or a certificate of 268
merger, consolidation, division, or dissolution, and with 269
respect to the issuance of shares of stock, an association 270
organized under this chapter shall pay to the secretary of state 271
the fees imposed by section 111.16 of the Revised Code unless a 272
fee is waived under the veterans fee waiver program under 273
sections 5903.21 to 5903.25 of the Revised Code. In the case of 274
a certificate of division, the filing fee shall be the same as 275

for a certificate of merger or consolidation. 276

(B) When the articles of incorporation, or a certificate 277
of amendment of articles, or a certificate of merger, 278
consolidation, conversion, division, or dissolution is filed 279
with the secretary of state, the secretary of state shall, if 280
the articles or certificate complies with this chapter, endorse 281
approval thereon, the date of filing, a file number, and make a 282
legible copy thereof by any authorized method. The original or a 283
copy of the articles or certificate, certified by the secretary 284
of state, shall be returned to the person filing the articles or 285
certificate. 286

(C) All persons shall have the opportunity to acquire a 287
copy of the articles and other certificates filed and recorded 288
in the office of the secretary of state, but no person dealing 289
with the association shall be charged with constructive notice 290
of the contents of any such articles or certificates by reason 291
of the filing or recording. 292

Sec. 1746.06. (A) No business trust that has made a filing 293
pursuant to section 1746.04 of the Revised Code may use the 294
words "Incorporated," "Corporation," "Inc.," "Co.," 295
"Partnership," "Ltd.," or derivatives thereof in its name. 296

(B) No business trust formed after the effective date of 297
this chapter that has made a filing pursuant to section 1746.04 298
of the Revised Code shall assume the name of any corporation 299
established under the laws of this state, or of a corporation, 300
firm, or association, or trust whether or not as defined in 301
section 1746.01 of the Revised Code, or of an individual, 302
carrying on business in this state at the time when the business 303
trust is created, or assume a name so similar thereto as to be 304
likely to be mistaken for it, except with the written consent of 305

such existing corporation, firm, association, or trust, or of 306
such individual, previously or concurrently filed with the 307
secretary of state. 308

(C) The secretary of state shall refuse to receive for 309
filing the trust instrument of a business trust if it appears to 310
the secretary of state to have violated any provision of this 311
section. The courts of common pleas of this state shall have 312
jurisdiction, upon the application of any person interested or 313
affected, to enjoin a business trust from transacting business 314
under any name in violation of any provision of this section, 315
notwithstanding that the trust instrument of such business trust 316
has been received for filing under section 1746.04 of the 317
Revised Code. 318

(D) Any person who wishes to reserve a name for a proposed 319
new business trust, or any business trust intending to change 320
its name, may submit to the secretary of state a written 321
application for the exclusive right to use a specified name as 322
the name of a business trust. If the secretary of state finds 323
that, under this section, the specified name is available for 324
such use, the secretary of state shall indorse the secretary of 325
state's approval upon and file such application and, from the 326
date of such indorsement, such applicant shall have the 327
exclusive right for one hundred eighty days to use the specified 328
name as the name of a business trust, counting the date of such 329
indorsement as the first of the one hundred eighty days. The 330
right so obtained may be transferred by the applicant or other 331
holder thereof by the filing in the office of the secretary of 332
state of a written transfer stating the name and address of the 333
transferee. For filing any application for the exclusive right 334
to use a specified name under this division, the secretary of 335
state shall charge and collect the fee specified in division (S) 336

(1) of section 111.16 of the Revised Code unless the fee is 337
waived under the veterans fee waiver program under sections 338
5903.21 to 5903.25 of the Revised Code. For each filing of a 339
transfer of the right to an exclusive name under this division, 340
the secretary of state shall charge and collect the fee 341
specified in division (S) (4) of section 111.16 of the Revised 342
Code. 343

(E) Any business trust that has not made the filings 344
described under section 1746.04 of the Revised Code may submit 345
to the secretary of state a written application for the 346
exclusive right to use a specified name as the name of such 347
business trust. If the secretary of state finds that, under this 348
section, the specified name is available for such use, the 349
secretary of state shall indorse the secretary of state's 350
approval upon and file such application and, from the date of 351
such indorsement, such applicant has the exclusive right to use 352
the specified name for the period that it transacts business. 353
The right so obtained may be transferred by the applicant or 354
other holder thereof by the filing in the office of the 355
secretary of state of a written transfer stating the name and 356
address of the transferee. For filing an application for the 357
exclusive right to use a specified name under this division, the 358
secretary of state shall charge and collect the fee specified in 359
division (S) (1) of section 111.16 of the Revised Code unless the 360
fee is waived under the veterans fee waiver program under 361
sections 5903.21 to 5903.25 of the Revised Code. 362

Sec. 1782.63. (A) (1) Each limited partnership existing 363
prior to July 1, 1994, and each foreign limited partnership 364
registered pursuant to sections 1782.49 and 1782.50 of the 365
Revised Code prior to that date shall file, on a form prescribed 366
by the secretary of state, a certificate of limited partnership 367

and an application for registration as a foreign limited 368
partnership, respectively, with the secretary of state as 369
follows: 370

(a) Each limited partnership with a name beginning with 371
the letter A, B, C, D, E, or F shall so file with the secretary 372
of state on or before June 30, 1995; 373

(b) Each limited partnership with a name beginning with 374
the letter G, H, I, J, K, L, or M shall so file with the 375
secretary of state on or before December 31, 1995; 376

(c) Each limited partnership with a name beginning with 377
the letter N, O, P, Q, R, or S shall so file with the secretary 378
of state on or before June 30, 1996; 379

(d) Each limited partnership with a name beginning with 380
the letter T, U, V, W, X, Y, or Z shall so file with the 381
secretary of state on or before December 31, 1996; 382

(e) If a limited partnership's name begins with a 383
character other than a letter of the English alphabet, the first 384
letter of the English alphabet that appears in the limited 385
partnership's name shall be considered the beginning of its name 386
for purposes of divisions (A) (1) (a) to (d) of this section and 387
the limited partnership shall so file with the secretary of 388
state in accordance with the applicable provision of divisions 389
(A) (1) (a) to (d) of this section. 390

(2) Any limited partnership that files a certificate of 391
limited partnership or an application for registration as a 392
foreign limited partnership is subject to the payment of filing 393
fees in accordance with division (G) of section 111.16 of the 394
Revised Code unless the fee is waived under the veterans fee 395
waiver program under sections 5903.21 to 5903.25 of the Revised 396

<u>Code.</u>	397
(3) A limited partnership that is required by divisions	398
(A) (1) (a) to (e) of this section to file any document with the	399
secretary of state and that has not done so by the time required	400
for the filing may not maintain any action, suit, or proceeding	401
in any court of this state until it has filed the required	402
document. The failure of a limited partnership to make the	403
required filing does not impair the validity of any contract or	404
act of the limited partnership or prevent it from defending any	405
action, suit, or proceeding in any court of this state. A	406
limited partner of a limited partnership is not liable as a	407
general partner of the limited partnership or otherwise liable	408
for obligations of the partnership solely by reason of the	409
partnership having transacted business in this state without	410
making the filing required by divisions (A) (1) (a) to (e) of this	411
section.	412
(B) If a surviving domestic limited partnership that has	413
not filed a certificate of limited partnership pursuant to	414
division (A) of this section results from a merger on and after	415
July 1, 1994, the partnership shall include a copy of its	416
certificate of limited partnership with its certificate of	417
merger or consolidation filed pursuant to section 1782.433 of	418
the Revised Code. Upon filing of the certificate of limited	419
partnership in accordance with this division, the surviving	420
domestic limited partnership shall be deemed to be in compliance	421
with division (A) of this section.	422
(C) A limited partnership that is formed under this	423
chapter or governed by this chapter pursuant to section 1782.61	424
of the Revised Code and that is in existence on July 1, 1994,	425
shall be governed by this chapter, as amended by the act in	426

which this section was enacted, except that the amendments to 427
section 1782.28 of the Revised Code made by that act and the 428
repeal of section 1782.38 of the Revised Code by that act shall 429
not affect the rights of any person who extended credit to a 430
limited partnership prior to July 1, 1994, but only to the 431
extent of credit extended before such date. 432

(D) The amendments to this chapter made by the act in 433
which this section was enacted do not affect a claim, action, or 434
proceeding that is accrued, existing, incurred, or pending on or 435
before July 1, 1994, but the claim, action, or proceeding may be 436
asserted, enforced, prosecuted, or defended as if those 437
amendments had not been made. 438

Sec. 2305.10. (A) Except as provided in division (C) or 439
(E) of this section, an action based on a product liability 440
claim and an action for bodily injury or injuring personal 441
property shall be brought within two years after the cause of 442
action accrues. Except as provided in divisions (B)(1), (2), 443
(3), (4), and (5) of this section, a cause of action accrues 444
under this division when the injury or loss to person or 445
property occurs. 446

(B)(1) For purposes of division (A) of this section, a 447
cause of action for bodily injury that is not described in 448
division (B)(2), (3), (4), or (5) of this section and that is 449
caused by exposure to hazardous or toxic chemicals, ethical 450
drugs, or ethical medical devices accrues upon the date on which 451
the plaintiff is informed by competent medical authority that 452
the plaintiff has an injury that is related to the exposure, or 453
upon the date on which by the exercise of reasonable diligence 454
the plaintiff should have known that the plaintiff has an injury 455
that is related to the exposure, whichever date occurs first. 456

(2) For purposes of division (A) of this section, a cause 457
of action for bodily injury caused by exposure to chromium in 458
any of its chemical forms accrues upon the date on which the 459
plaintiff is informed by competent medical authority that the 460
plaintiff has an injury that is related to the exposure, or upon 461
the date on which by the exercise of reasonable diligence the 462
plaintiff should have known that the plaintiff has an injury 463
that is related to the exposure, whichever date occurs first. 464

(3) For purposes of division (A) of this section, a cause 465
of action for bodily injury incurred by a veteran through 466
exposure to chemical defoliants or herbicides or other causative 467
agents, including agent orange, accrues upon the date on which 468
the plaintiff is informed by competent medical authority that 469
the plaintiff has an injury that is related to the exposure, or 470
upon the date on which by the exercise of reasonable diligence 471
the plaintiff should have known that the plaintiff has an injury 472
that is related to the exposure, whichever date occurs first. 473

(4) For purposes of division (A) of this section, a cause 474
of action for bodily injury caused by exposure to 475
diethylstilbestrol or other nonsteroidal synthetic estrogens, 476
including exposure before birth, accrues upon the date on which 477
the plaintiff is informed by competent medical authority that 478
the plaintiff has an injury that is related to the exposure, or 479
upon the date on which by the exercise of reasonable diligence 480
the plaintiff should have known that the plaintiff has an injury 481
that is related to the exposure, whichever date occurs first. 482

(5) For purposes of division (A) of this section, a cause 483
of action for bodily injury caused by exposure to asbestos 484
accrues upon the date on which the plaintiff is informed by 485
competent medical authority that the plaintiff has an injury 486

that is related to the exposure, or upon the date on which by 487
the exercise of reasonable diligence the plaintiff should have 488
known that the plaintiff has an injury that is related to the 489
exposure, whichever date occurs first. 490

(C) (1) Except as otherwise provided in divisions (C) (2), 491
(3), (4), (5), (6), and (7) of this section or in section 492
2305.19 of the Revised Code, no cause of action based on a 493
product liability claim shall accrue against the manufacturer or 494
supplier of a product later than ten years from the date that 495
the product was delivered to its first purchaser or first lessee 496
who was not engaged in a business in which the product was used 497
as a component in the production, construction, creation, 498
assembly, or rebuilding of another product. 499

(2) Division (C) (1) of this section does not apply if the 500
manufacturer or supplier of a product engaged in fraud in regard 501
to information about the product and the fraud contributed to 502
the harm that is alleged in a product liability claim involving 503
that product. 504

(3) Division (C) (1) of this section does not bar an action 505
based on a product liability claim against a manufacturer or 506
supplier of a product who made an express, written warranty as 507
to the safety of the product that was for a period longer than 508
ten years and that, at the time of the accrual of the cause of 509
action, has not expired in accordance with the terms of that 510
warranty. 511

(4) If the cause of action relative to a product liability 512
claim accrues during the ten-year period described in division 513
(C) (1) of this section but less than two years prior to the 514
expiration of that period, an action based on the product 515
liability claim may be commenced within two years after the 516

cause of action accrues.	517
(5) If a cause of action relative to a product liability claim accrues during the ten-year period described in division (C) (1) of this section and the claimant cannot commence an action during that period due to a disability described in section 2305.16 of the Revised Code, an action based on the product liability claim may be commenced within two years after the disability is removed.	518 519 520 521 522 523 524
(6) Division (C) (1) of this section does not bar an action for bodily injury caused by exposure to asbestos if the cause of action that is the basis of the action accrues upon the date on which the plaintiff is informed by competent medical authority that the plaintiff has an injury that is related to the exposure, or upon the date on which by the exercise of reasonable diligence the plaintiff should have known that the plaintiff has an injury that is related to the exposure, whichever date occurs first.	525 526 527 528 529 530 531 532 533
(7) (a) Division (C) (1) of this section does not bar an action based on a product liability claim against a manufacturer or supplier of a product if all of the following apply:	534 535 536
(i) The action is for bodily injury.	537
(ii) The product involved is a substance or device described in division (B) (1), (2), (3), or (4) of this section.	538 539
(iii) The bodily injury results from exposure to the product during the ten-year period described in division (C) (1) of this section.	540 541 542
(b) If division (C) (7) (a) of this section applies regarding an action, the cause of action accrues upon the date on which the claimant is informed by competent medical authority	543 544 545

that the bodily injury was related to the exposure to the 546
product, or upon the date on which by the exercise of reasonable 547
diligence the claimant should have known that the bodily injury 548
was related to the exposure to the product, whichever date 549
occurs first. The action based on the product liability claim 550
shall be commenced within two years after the cause of action 551
accrues and shall not be commenced more than two years after the 552
cause of action accrues. 553

(D) This section does not create a new cause of action or 554
substantive legal right against any person involving a product 555
liability claim. 556

(E) An action brought by a victim of childhood sexual 557
abuse asserting any claim resulting from childhood sexual abuse, 558
as defined in section 2305.111 of the Revised Code, shall be 559
brought as provided in division (C) of that section. 560

(F) As used in this section: 561

(1) ~~"Agent orange," "causative agent," and "veteran" have~~ 562
"Veteran" has the same meanings meaning as in section 5903.21 of 563
the Revised Code. 564

(2) "Ethical drug," "ethical medical device," 565
"manufacturer," "product," "product liability claim," and 566
"supplier" have the same meanings as in section 2307.71 of the 567
Revised Code. 568

(3) "Harm" means injury, death, or loss to person or 569
property. 570

(G) This section shall be considered to be purely remedial 571
in operation and shall be applied in a remedial manner in any 572
civil action commenced on or after April 7, 2005, in which this 573
section is relevant, regardless of when the cause of action 574

accrued and notwithstanding any other section of the Revised Code or prior rule of law of this state, but shall not be construed to apply to any civil action pending prior to April 7, 2005.

Sec. 4743.04. (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

(B) Continuing education requirements applicable to the licensees under Title XLVII of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service.

(C) A department, agency, or office of this state or of any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.

(D) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to sections 5903.21 to 5903.25 of the Revised Code relating to the veterans fee waiver program.

Sec. 5903.21. As used in sections 5903.21 to 5903.25 of

the Revised Code: 604

"Armed forces" means the armed forces of the United States, including the army, navy, air force, marine corps, coast guard, or any reserve component of those forces; the national guard of any state; the commissioned corps of the United States public health service; the merchant marine service during wartime; such other service as may be designated by congress; or the Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days. 605
606
607
608
609
610
611
612

"Document" means articles of incorporation of a domestic corporation, including designation of agent; articles of organization of a limited liability company; a registration application to become a domestic limited liability partnership; a certificate of limited partnership; an application for the exclusive right to use a name; an application to reserve a name for future use; and a trade name or fictitious name registration or report. 613
614
615
616
617
618
619
620

"License" means a license, certificate, permit, or other authorization issued or conferred by a licensing agency under which a recipient may operate a business within a profession or occupation. 621
622
623
624

"Licensing agency" means any state department, division, board, commission, agency, or other state governmental unit authorized by the Revised Code to issue a license. 625
626
627

"Merchant marine" includes the United States army transport service and the United States naval transport service. 628
629

"Veteran" means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged 630
631
632

under honorable conditions from the armed forces or who has been 633
transferred to the reserve with evidence of satisfactory 634
service. 635

Sec. 5903.22. The department of veterans services shall 636
establish and maintain the veterans fee waiver program. 637

As a function of the program, the department shall, upon 638
receiving a request for verification from the secretary of state 639
or a licensing agency, verify for the secretary of state or 640
licensing agency whether or not an individual who claims a fee 641
waiver is eligible to receive the fee waiver. The department 642
shall respond to a request for verification within thirty days 643
after receiving the request. 644

Sec. 5903.23. To be eligible to receive a fee waiver under 645
the veterans fee waiver program, an individual shall satisfy all 646
of the following conditions that apply to the individual: 647

(A) The individual is a resident of the state. 648

(B) The individual is a veteran and provides documentation 649
to the secretary of state or licensing agency indicating the 650
individual is a veteran. 651

(C) The individual has not received previously a fee 652
waiver under the program. 653

(D) If applying for a license, the individual is applying 654
for an initial license. 655

(E) If applying for a license, the individual is an owner 656
of a business and is applying for a license to operate that 657
business. 658

Sec. 5903.24. (A) The secretary of state shall prescribe a 659
form on which an individual who is charged a fee under division 660

(A), (F), (G), or (S) of section 111.16 of the Revised Code may 661
claim a fee waiver under the veterans fee waiver program. Upon 662
receiving a form claiming eligibility for a fee waiver, the 663
secretary of state shall request the department to verify 664
whether the individual is eligible for a fee waiver under the 665
program. The secretary of state shall provide to the department 666
the documentation provided by the individual that indicates the 667
individual is a veteran. 668

If the department verifies the individual is eligible for 669
a fee waiver, the secretary of state shall waive the fee for the 670
document. The amount waived by the secretary of state under this 671
section may not exceed one hundred twenty-five dollars. 672

(B) A licensing agency shall provide, on its license 673
application or applications, an opportunity for an individual to 674
claim the individual is eligible to receive a fee waiver under 675
the veterans fee waiver program. 676

After receiving an application that includes a claim of 677
eligibility for a fee waiver, the licensing agency shall request 678
the department of veterans services to verify whether the 679
applicant is eligible for a fee waiver under the program. The 680
licensing agency shall provide to the department the 681
documentation provided by the individual that indicates the 682
individual is a veteran. 683

If the department verifies the applicant is eligible for a 684
fee waiver, the licensing agency shall waive the fee for the 685
license. 686

Sec. 5903.25. The department of veterans services shall 687
provide information on its web site about the veterans fee 688
waiver program. The web site shall include a list of licenses 689

and documents for which a fee waiver may be used and shall state 690
which licensing agency to contact to receive a fee waiver for a 691
license, or, in the case of a document, shall direct the user to 692
the secretary of state. 693

Each licensing agency shall provide information on its web 694
site about the veterans fee waiver program and shall include a 695
list of the licenses the licensing agency issues that are 696
eligible for a fee waiver under the program. 697

The secretary of state shall provide information on its 698
web site about the veterans fee waiver program and shall include 699
a list of documents for which a fee waiver may be used under the 700
program. 701

Section 2. That existing sections 111.16, 111.17, 1703.31, 702
1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 of the Revised 703
Code are hereby repealed. 704