### As Reported by the House Transportation and Public Safety Committee

## 134th General Assembly

Regular Session 2021-2022

H. B. No. 21

#### **Representative Koehler**

Cosponsors: Representatives Riedel, Carfagna, Pavliga, Ray, Smith, K., Sheehy, Baldridge, Hall, O'Brien

#### A BILL

То	amend sections 2108.05, 2108.23, 2108.34,	1
	4503.10, and 4503.721; to enact section	2
	4501.027; and to repeal sections 4506.081,	3
	4507.231, and 4507.501 of the Revised Code to	4
	increase the annual contribution for the "Donate	5
	Life" license plate and requested contributions	6
	to the Second Chance Trust Fund and to provide	7
	additional opportunities for Ohio residents to	8
	register as an organ donor.	9

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

Section 1. That sections 2108.05, 2108.23, 2108.34,	10
4503.10, and 4503.721 be amended and section 4501.027 of the	11
Revised Code be enacted to read as follows:	12
Sec. 2108.05. (A) A donor may make an anatomical gift by	13
doing any of the following:	14
(1) Authorizing a statement or symbol to be imprinted on	15
the donor's driver's license or identification card indicating	16
that the donor has certified a willingness to make an anatomical	17

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gift;	18
(2) Specifying during an application for or renewal of a	19
motor vehicle registration that the donor has certified a	20
willingness to make an anatomical gift;	21
(3) Specifying in the donor's will an intent to make an	22
anatomical gift;	23
$\frac{(3)}{(4)}$ Specifying an intent to make an anatomical gift in	24
the donor's declaration as described in section 2133.16 of the	25
Revised Code;	26
$\frac{(4)-(5)}{(5)}$ During a terminal illness or injury of the donor,	27
communicating in any manner to a minimum of two adults, at least	28
one of whom is a disinterested witness, that the donor intends	29
to make an anatomical gift;	30
$\frac{(5)-(6)}{(6)}$ Following the procedure in division (B) of this	31
section.	32
(B) A donor or other person authorized to make an	33
anatomical gift under section 2108.04 of the Revised Code may	34
make a gift by a donor card or other record signed by the donor	35
or other person making the gift or by authorizing that a	36
statement or symbol indicating that the donor has certified a	37
willingness to make an anatomical gift be included in a donor	38
registry. If the donor or other person is physically unable to	39
sign a record, the record may be signed by another individual at	40
the direction of the donor or other person and shall do both of	41
the following:	42
(1) Be witnessed by at least two adults, at least one of	43
whom is a disinterested witness, who have signed at the request	44
of the donor or the other person;	45

donor withdraws that authorization. 57

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donor's willingness to make an anatomical gift upon renewal of

the driver's license-or, identification card, or motor vehicle

registration. The authorization shall remain in effect until the

- (D) Revocation, suspension, expiration, or cancellation of 58 a driver's license or identification card upon which an 59 anatomical gift is indicated does not invalidate the gift. 60
- (E) An anatomical gift made by will takes effect on the donor's death whether or not the will is probated. Invalidation 62 of the will after the donor's death does not invalidate the 63 gift.
- Sec. 2108.23. (A) (1) The bureau of motor vehicles shall develop and maintain a donor registry that identifies each individual who has agreed to make an anatomical gift by a designation on at the time of application or renewal of a driver's license—or, identification card, or motor vehicle registration as provided in division (A) (1) or (2) of section 2108.05 of the Revised Code. The registry shall be fully operational not later than July 1, 2002.
- (2) The registrar of motor vehicles or a deputy registrar

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  shall ask whether each of the following wishes to certify the

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applicant's willingness to become a donor:	75
(a) A person applying for or renewing a driver's license;	76
(b) A person applying for or renewing an identification	77
<pre>card;</pre>	78
(c) A person applying for or renewing a motor vehicle	79
registration.	80
(3) The registrar or deputy registrar shall provide to any	81
applicant who wishes to certify their willingness to become a	82
donor the form set forth in division (D)(2) of section 2133.07	83
of the Revised Code.	84
(4) Any person who provides to the bureau the form set	85
forth in division (D)(2) of section 2133.07 of the Revised Code	86
requesting to be included in the donor registry shall be	
included.	88
(5) Neither the registrar nor a deputy registrar shall ask	89
a person, who is already included in the donor registry, to be a	
donor.	91
(B) The bureau shall maintain the registry in a manner	92
that provides to organ procurement organizations, tissue banks,	93
and eye banks immediate access to the information in the	94
registry twenty-four hours a day and seven days a week.	95
(C)(1) The registrar of motor vehicles, in consultation	96
with the director of health and the second chance trust fund	97
advisory committee created under section 2108.35 of the Revised	98
Code, shall formulate proposed rules that specify all of the	99
following:	100
(a) The information to be included in the registry;	101

(7) Cooperation with the state medical board, state	159
medical, osteopathic, and ophthalmological associations, and	160
colleges of medicine and osteopathic medicine in this state to	161
more effectively educate physicians about the donation of	162
anatomical gifts and to encourage them to assist their patients	163
in making declarations of anatomical gifts;	164
(8) Development of statewide hospital training programs to	165
encourage and facilitate compliance with sections 2108.14 and	166
2108.15 of the Revised Code;	167
(9) Reimbursement of the bureau of motor vehicles for the	168
administrative costs incurred in the performance of duties under	169
sections 4506.081, 4507.231, and 4507.501 section 4501.027 of	170
the Revised Code;	171
(10) Reimbursement of the department of health for	172
administrative costs incurred in the performance of duties under	173
this section and section 2108.35 of the Revised Code;	174
(11) Reimbursement of members of the second chance fund	175
advisory committee for actual and necessary expenses incurred in	176
the performance of official duties.	177
(C) The director shall make the materials developed under	178
division (B)(5) of this section available to other state	179
agencies.	180
(D) The director shall consider recommendations made by	181
the second chance trust fund advisory committee pursuant to	182
section 2108.35 of the Revised Code. The director shall	183
determine the appropriateness of and approve or disapprove	184
projects recommended by the advisory committee for funding and	185
approve or disapprove the disbursement of money from the second	186
chance trust fund.	187

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chapter except upon certification of inspection pursuant to	217
section 4513.02 of the Revised Code by the sheriff, or the chief	218
of police of the municipal corporation or township, with	219
jurisdiction over the political subdivision in which the owner	220
of the motor vehicle resides. Except as provided in section	221
4503.103 of the Revised Code, every owner of every other motor	222
vehicle not previously described in this section and every	223
person mentioned as owner in the last certificate of title of a	224
motor vehicle that is operated or driven upon the public roads	225
or highways shall cause to be filed each year, by mail or	226
otherwise, in the office of the registrar of motor vehicles or a	227
deputy registrar, a written or electronic application or a	228
preprinted registration renewal notice issued under section	229
4503.102 of the Revised Code, the form of which shall be	230
prescribed by the registrar, for registration for the following	231
registration year, which shall begin on the first day of January	232
of every calendar year and end on the thirty-first day of	233
December in the same year. Applications for registration and	234
registration renewal notices shall be filed at the times	235
established by the registrar pursuant to section 4503.101 of the	236
Revised Code. A motor vehicle owner also may elect to apply for	237
or renew a motor vehicle registration by electronic means using	238
electronic signature in accordance with rules adopted by the	239
registrar. Except as provided in division (J) of this section,	240
applications for registration shall be made on blanks furnished	241
by the registrar for that purpose, containing the following	242
information:	243

(1) A brief description of the motor vehicle to be registered, including the year, make, model, and vehicle identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the

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- (7) The owner's social security number, driver's license number, or state identification number, or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal taxpayer identification number. The bureau of motor vehicles shall retain in its records all social security numbers provided under this section, but the bureau shall not place social security numbers on motor vehicle certificates of registration.
- (8) Whether the applicant wishes to certify willingness to make an anatomical gift if an applicant has not so certified under section 2108.05 of the Revised Code. The applicant's response shall not be considered in the decision of whether to approve the application for registration.
- (B) Except as otherwise provided in this division, each 290 time an applicant first registers a motor vehicle in the 291 applicant's name, the applicant shall present for inspection a 292 physical certificate of title or memorandum certificate showing 293 title to the motor vehicle to be registered in the name of the 294 applicant if a physical certificate of title or memorandum 295 certificate has been issued by a clerk of a court of common 296 pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 297 Revised Code, a clerk instead has issued an electronic 298 certificate of title for the applicant's motor vehicle, that 299 certificate may be presented for inspection at the time of first 300 registration in a manner prescribed by rules adopted by the 301 registrar. An applicant is not required to present a certificate 302 of title to an electronic motor vehicle dealer acting as a 303 limited authority deputy registrar in accordance with rules 304 adopted by the registrar. When a motor vehicle inspection and 305 maintenance program is in effect under section 3704.14 of the 306 Revised Code and rules adopted under it, each application for 307

registration for a vehicle required to be inspected under that	308
section and those rules shall be accompanied by an inspection	
certificate for the motor vehicle issued in accordance with that	310
section. The application shall be refused if any of the	311
following applies:	312
(1) The application is not in proper form.	313
(2) The application is prohibited from being accepted by	314
division (D) of section 2935.27, division (A) of section	315
2937.221, division (A) of section 4503.13, division (B) of	316
section 4510.22, or division (B)(1) of section 4521.10 of the	317
Revised Code.	318
(3) A certificate of title or memorandum certificate of	319
title is required but does not accompany the application or, in	320
the case of an electronic certificate of title, is required but	321
is not presented in a manner prescribed by the registrar's	322
rules.	323
(4) All pagistration and thoughts for the meter	224
(4) All registration and transfer fees for the motor	324 325
vehicle, for the preceding year or the preceding period of the	
current registration year, have not been paid.	326
(5) The owner or lessee does not have an inspection	327
certificate for the motor vehicle as provided in section 3704.14	328
of the Revised Code, and rules adopted under it, if that section	329
is applicable.	330
This section does not require the payment of license or	331
registration taxes on a motor vehicle for any preceding year, or	332
for any preceding period of a year, if the motor vehicle was not	333
taxable for that preceding year or period under sections	334
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504.	335
of the Revised Code. When a certificate of registration is	336

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issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any. The official also shall indicate, by a stamp or by other means the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

The registrar shall include in the permanent registration record of any vehicle required to be inspected under section 3704.14 of the Revised Code the inspection certificate number from the inspection certificate that is presented at the time of registration of the vehicle as required under this division.

(C) (1) Except as otherwise provided in division (C) (1) of 359 this section, the registrar and each deputy registrar shall 360 collect an additional fee of eleven dollars for each application 361 for registration and registration renewal received. For vehicles 362 specified in divisions (A)(1) to (21) of section 4503.042 of the 363 Revised Code, the registrar and deputy registrar shall collect 364 an additional fee of thirty dollars for each application for 365 registration and registration renewal received. No additional 366 fee shall be charged for vehicles registered under section 367

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4503.65 of the Revised Code. The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under divisions (C)(1), (3), and (4) of this section in the time and manner provided in this section. The registrar shall deposit all moneys received under division (C)(1) of this section into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

- (2) In addition, a charge of twenty-five cents shall be 377 made for each reflectorized safety license plate issued, and a 378 single charge of twenty-five cents shall be made for each county 379 identification sticker or each set of county identification 380 stickers issued, as the case may be, to cover the cost of 381 producing the license plates and stickers, including material, 382 manufacturing, and administrative costs. Those fees shall be in 383 addition to the license tax. If the total cost of producing the 384 plates is less than twenty-five cents per plate, or if the total 385 386 cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from 387 the fees shall be distributed in the same manner as provided by 388 section 4501.04 of the Revised Code for the distribution of 389 license tax moneys. If the total cost of producing the plates 390 exceeds twenty-five cents per plate, or if the total cost of 391 producing the stickers exceeds twenty-five cents per sticker or 392 per set issued, the difference shall be paid from the license 393 tax moneys collected pursuant to section 4503.02 of the Revised 394 Code. 395
- (3) The registrar and each deputy registrar shall collect
   an additional fee of two hundred dollars for each application
   for registration or registration renewal received for any plug 398

in electric motor vehicle. The fee shall be prorated based on the number of months for which the plug-in electric motor vehicle is registered. The registrar shall transmit all money arising from the fee imposed by division (C)(3) of this section to the treasurer of state for distribution in accordance with division (E) of section 5735.051 of the Revised Code, subject to division (D) of section 5735.05 of the Revised Code.

(4) The registrar and each deputy registrar shall collect an additional fee of one hundred dollars for each application for registration or registration renewal received for any hybrid motor vehicle. The fee shall be prorated based on the number of months for which the hybrid motor vehicle is registered. The registrar shall transmit all money arising from the fee imposed by division (C)(4) of this section to the treasurer of state for distribution in accordance with division (E) of section 5735.051 of the Revised Code, subject to division (D) of section 5735.05 of the Revised Code.

The fees established under divisions (C) (3) and (4) of this section shall not be imposed until January 1, 2020.

- (D) Each deputy registrar shall be allowed a fee equal to the amount established under section 4503.038 of the Revised Code for each application for registration and registration renewal notice the deputy registrar receives, which shall be for the purpose of compensating the deputy registrar for the deputy registrar's services, and such office and rental expenses, as may be necessary for the proper discharge of the deputy registrar's duties in the receiving of applications and renewal notices and the issuing of registrations.
- (E) Upon the certification of the registrar, the county

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  sheriff or local police officials shall recover license plates

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erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application	430
for registration or registration renewal notice, together with	431
the license fee and any local motor vehicle license tax levied	432
pursuant to Chapter 4504. of the Revised Code, shall transmit	433
that fee and tax, if any, in the manner provided in this	434
section, together with the original and duplicate copy of the	435
application, to the registrar. The registrar, subject to the	436
approval of the director of public safety, may deposit the funds	437
collected by those deputies in a local bank or depository to the	438
credit of the "state of Ohio, bureau of motor vehicles." Where a	439
local bank or depository has been designated by the registrar,	440
each deputy registrar shall deposit all moneys collected by the	441
deputy registrar into that bank or depository not more than one	442
business day after their collection and shall make reports to	443
the registrar of the amounts so deposited, together with any	444
other information, some of which may be prescribed by the	445
treasurer of state, as the registrar may require and as	446
prescribed by the registrar by rule. The registrar, within three	447
days after receipt of notification of the deposit of funds by a	448
deputy registrar in a local bank or depository, shall draw on	449
that account in favor of the treasurer of state. The registrar,	450
subject to the approval of the director and the treasurer of	451
state, may make reasonable rules necessary for the prompt	452
transmittal of fees and for safeguarding the interests of the	453
state and of counties, townships, municipal corporations, and	454
transportation improvement districts levying local motor vehicle	455
license taxes. The registrar may pay service charges usually	456
collected by banks and depositories for such service. If deputy	457
registrars are located in communities where banking facilities	458
are not available, they shall transmit the fees forthwith, by	459

money order or otherwise, as the registrar, by rule approved by	460
the director and the treasurer of state, may prescribe. The	461
registrar may pay the usual and customary fees for such service.	462
(G) This section does not prevent any person from making	463
an application for a motor vehicle license directly to the	464
registrar by mail, by electronic means, or in person at any of	465
the registrar's offices, upon payment of a service fee equal to	466
the amount established under section 4503.038 of the Revised	467
Code for each application.	468
(H) No person shall make a false statement as to the	469
district of registration in an application required by division	470
(A) of this section. Violation of this division is falsification	471
under section 2921.13 of the Revised Code and punishable as	472
specified in that section.	473
(I)(1) Where applicable, the requirements of division (B)	474
of this section relating to the presentation of an inspection	475
certificate issued under section 3704.14 of the Revised Code and	476
rules adopted under it for a motor vehicle, the refusal of a	477
license for failure to present an inspection certificate, and	478
the stamping of the inspection certificate by the official	479
issuing the certificate of registration apply to the	480
registration of and issuance of license plates for a motor	481
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15,	482
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42,	483
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised	484
Code.	485
(2)(a) The registrar shall adopt rules ensuring that each	486
owner registering a motor vehicle in a county where a motor	487
vehicle inspection and maintenance program is in effect under	488

section 3704.14 of the Revised Code and rules adopted under it

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receives information about the requirements established in that 490 section and those rules and about the need in those counties to 491 present an inspection certificate with an application for 492 registration or preregistration.

- (b) Upon request, the registrar shall provide the director 494 of environmental protection, or any person that has been awarded 495 a contract under section 3704.14 of the Revised Code, an on-line 496 computer data link to registration information for all passenger 497 cars, noncommercial motor vehicles, and commercial cars that are 498 subject to that section. The registrar also shall provide to the 499 director of environmental protection a magnetic data tape 500 501 containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a 502 multi-year registration is in effect under section 4503.103 of 503 the Revised Code or rules adopted under it, including, without 504 limitation, the date of issuance of the multi-year registration, 505 the registration deadline established under rules adopted under 506 section 4503.101 of the Revised Code that was applicable in the 507 508 year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year 509 registration. 510
- (J) Subject to division (K) of this section, application

  for registration under the international registration plan, as

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  set forth in sections 4503.60 to 4503.66 of the Revised Code,

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  shall be made to the registrar on forms furnished by the

  registrar. In accordance with international registration plan

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  guidelines and pursuant to rules adopted by the registrar, the

  forms shall include the following:

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  - (1) A uniform mileage schedule;
  - (2) The gross vehicle weight of the vehicle or combined

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gross vehicle weight of the combination vehicle as declared by

the registrant;

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- (3) Any other information the registrar requires by rule.
- (K) The registrar shall determine the feasibility of 523 implementing an electronic commercial fleet licensing and 524 management program that will enable the owners of commercial 525 tractors, commercial trailers, and commercial semitrailers to 526 conduct electronic transactions by July 1, 2010, or sooner. If 527 the registrar determines that implementing such a program is 528 feasible, the registrar shall adopt new rules under this 529 division or amend existing rules adopted under this division as 530 necessary in order to respond to advances in technology. 531

If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.

Sec. 4503.721. (A) The owner or lessee of any passenger 537 car, noncommercial motor vehicle, recreational vehicle, or other 538 vehicle of a class approved by the registrar of motor vehicles 539 may apply to the registrar for the registration of the vehicle 540 and issuance of "donate life" license plates. An application 541 made under this section may be combined with a request for a 542 special reserved license plate under section 4503.40 or 4503.42 543 of the Revised Code. Upon receipt of the completed application 544 and compliance by the applicant with divisions (B) and (C) of 545 this section, the registrar shall issue to the applicant the 546 appropriate vehicle registration and a set of "donate life" 547 license plates and a validation sticker, or a validation sticker 548 alone when required by section 4503.191 of the Revised Code. 549

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In addition to the letters and numbers ordinarily

inscribed on the license plates, "donate life" license plates

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shall be inscribed with identifying words or markings designated

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by lifeline of Ohio, incorporated, and approved by the

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registrar. "Donate life" license plates shall display county

identification stickers that identify the county of registration

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as required under section 4503.19 of the Revised Code.

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- (B) The "donate life" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of a contribution as provided in division (C) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, an additional fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles.
- (C) For each application for registration and registration

  renewal notice the registrar receives under this section, the

  registrar shall collect a contribution of five fifteen dollars.

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  The registrar shall transmit this contribution to the treasurer

  of state for deposit into the state treasury to the credit of

  the second chance trust fund created in section 2108.34 of the

  Revised Code.

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The additional fee of ten dollars is to compensate the

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bureau of motor vehicles for additional services required in the

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issuing of "donate life" license plates. The registrar shall

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transmit the additional fee to the treasurer of state for

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deposit into the state treasury to the credit of the public

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safety - highway purposes fund created by section 4501.06 of the

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Revised Code.	580
Section 2. That existing sections 2108.05, 2108.23,	581
2108.34, 4503.10, and 4503.721 of the Revised Code are hereby	582
repealed.	583
Section 3. That sections 4506.081, 4507.231, and 4507.501	584
of the Revised Code are hereby repealed.	585