

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 165

**Senator Johnson
Cosponsors: Senators Antani, O'Brien**

A BILL

To amend sections 2913.02, 2913.51, 4737.012, 1
4737.04, 4737.041, 4737.045, 4737.99, 4738.03, 2
4738.07, 4738.12, 4745.01, and 4775.09 and to 3
enact sections 4737.046, 4737.20, 4737.21, 4
4737.22, 4737.23, 4737.24, 4737.25, and 4737.98 5
of the Revised Code regarding the sale of used 6
catalytic converters, and to make an 7
appropriation. 8

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

Section 1. That sections 2913.02, 2913.51, 4737.012, 9
4737.04, 4737.041, 4737.045, 4737.99, 4738.03, 4738.07, 4738.12, 10
4745.01, and 4775.09 be amended and sections 4737.046, 4737.20, 11
4737.21, 4737.22, 4737.23, 4737.24, 4737.25, and 4737.98 of the 12
Revised Code be enacted to read as follows: 13

Sec. 2913.02. (A) No person, with purpose to deprive the 14
owner of property or services, shall knowingly obtain or exert 15
control over either the property or services in any of the 16
following ways: 17

(1) Without the consent of the owner or person authorized 18

to give consent; 19

(2) Beyond the scope of the express or implied consent of 20
the owner or person authorized to give consent; 21

(3) By deception; 22

(4) By threat; 23

(5) By intimidation. 24

(B) (1) Whoever violates this section is guilty of theft. 25

(2) Except as otherwise provided in this division or 26
division (B) (3), (4), (5), (6), (7), (8), ~~or (9)~~, or (10) of 27
this section, a violation of this section is misdemeanor theft, 28
a misdemeanor of the first degree. If the value of the property 29
or services stolen is one thousand dollars or more and is less 30
than seven thousand five hundred dollars or if the property 31
stolen is any of the property listed in section 2913.71 of the 32
Revised Code, a violation of this section is theft, a felony of 33
the fifth degree. If the value of the property or services 34
stolen is seven thousand five hundred dollars or more and is 35
less than one hundred fifty thousand dollars, a violation of 36
this section is grand theft, a felony of the fourth degree. If 37
the value of the property or services stolen is one hundred 38
fifty thousand dollars or more and is less than seven hundred 39
fifty thousand dollars, a violation of this section is 40
aggravated theft, a felony of the third degree. If the value of 41
the property or services is seven hundred fifty thousand dollars 42
or more and is less than one million five hundred thousand 43
dollars, a violation of this section is aggravated theft, a 44
felony of the second degree. If the value of the property or 45
services stolen is one million five hundred thousand dollars or 46
more, a violation of this section is aggravated theft of one 47

million five hundred thousand dollars or more, a felony of the 48
first degree. 49

(3) Except as otherwise provided in division (B) (4), (5), 50
(6), (7), (8), ~~or (9)~~, or (10) of this section, if the victim of 51
the offense is an elderly person, disabled adult, active duty 52
service member, or spouse of an active duty service member, a 53
violation of this section is theft from a person in a protected 54
class, and division (B) (3) of this section applies. Except as 55
otherwise provided in this division, theft from a person in a 56
protected class is a felony of the fifth degree. If the value of 57
the property or services stolen is one thousand dollars or more 58
and is less than seven thousand five hundred dollars, theft from 59
a person in a protected class is a felony of the fourth degree. 60
If the value of the property or services stolen is seven 61
thousand five hundred dollars or more and is less than thirty- 62
seven thousand five hundred dollars, theft from a person in a 63
protected class is a felony of the third degree. If the value of 64
the property or services stolen is thirty-seven thousand five 65
hundred dollars or more and is less than one hundred fifty 66
thousand dollars, theft from a person in a protected class is a 67
felony of the second degree. If the value of the property or 68
services stolen is one hundred fifty thousand dollars or more, 69
theft from a person in a protected class is a felony of the 70
first degree. If the victim of the offense is an elderly person, 71
in addition to any other penalty imposed for the offense, the 72
offender shall be required to pay full restitution to the victim 73
and to pay a fine of up to fifty thousand dollars. The clerk of 74
court shall forward all fines collected under division (B) (3) of 75
this section to the county department of job and family services 76
to be used for the reporting and investigation of elder abuse, 77
neglect, and exploitation or for the provision or arrangement of 78

protective services under sections 5101.61 to 5101.71 of the 79
Revised Code. 80

(4) If the property stolen is a firearm or dangerous 81
ordnance, a violation of this section is grand theft. Except as 82
otherwise provided in this division, grand theft when the 83
property stolen is a firearm or dangerous ordnance is a felony 84
of the third degree, and there is a presumption in favor of the 85
court imposing a prison term for the offense. If the firearm or 86
dangerous ordnance was stolen from a federally licensed firearms 87
dealer, grand theft when the property stolen is a firearm or 88
dangerous ordnance is a felony of the first degree. The offender 89
shall serve a prison term imposed for grand theft when the 90
property stolen is a firearm or dangerous ordnance consecutively 91
to any other prison term or mandatory prison term previously or 92
subsequently imposed upon the offender. 93

(5) If the property stolen is a motor vehicle, a violation 94
of this section is grand theft of a motor vehicle, a felony of 95
the fourth degree. 96

(6) If the property stolen is any dangerous drug, a 97
violation of this section is theft of drugs, a felony of the 98
fourth degree, or, if the offender previously has been convicted 99
of a felony drug abuse offense, a felony of the third degree. 100

(7) If the property stolen is a police dog or horse or an 101
assistance dog and the offender knows or should know that the 102
property stolen is a police dog or horse or an assistance dog, a 103
violation of this section is theft of a police dog or horse or 104
an assistance dog, a felony of the third degree. 105

(8) If the property stolen is anhydrous ammonia, a 106
violation of this section is theft of anhydrous ammonia, a 107

felony of the third degree. 108

(9) Except as provided in division (B) (2) of this section 109
with respect to property with a value of seven thousand five 110
hundred dollars or more and division (B) (3) of this section with 111
respect to property with a value of one thousand dollars or 112
more, if the property stolen is a special purpose article as 113
defined in section 4737.04 of the Revised Code or is a bulk 114
merchandise container as defined in section 4737.012 of the 115
Revised Code, a violation of this section is theft of a special 116
purpose article or articles or theft of a bulk merchandise 117
container or containers, a felony of the fifth degree. 118

~~(10)~~ (10) (a) If the property stolen is a catalytic 119
converter, a violation of this section is theft of a catalytic 120
converter, a felony of the fifth degree. 121

(b) If the offender has previously been convicted of or 122
pleaded guilty to a violation of Chapter 2911. or 2913. of the 123
Revised Code, theft of a catalytic converter is a felony of the 124
fourth degree. 125

(c) If the property stolen is a catalytic converter and 126
the offender is a business entity, a violation of this section 127
is enterprise theft of a catalytic converter and, 128
notwithstanding section 2929.31 of the Revised Code, is 129
punishable by a fine of not less than ten thousand dollars and 130
not more than fifty thousand dollars per violation. 131

(d) The clerk of the court shall pay any fine imposed 132
pursuant to division (B) (10) of this section to the county, 133
township, municipal corporation, park district as created 134
pursuant to section 511.18 or 1545.04 of the Revised Code, or 135
state law enforcement agencies in this state that primarily were 136

responsible for, or involved in, arresting and prosecuting the 137
offender. 138

(e) As used in division (B) (10) of this section, 139
"catalytic converter" has the same meaning as in section 4737.04 140
of the Revised Code. 141

(11) In addition to the penalties described in division 142
(B) (2) of this section, if the offender committed the violation 143
by causing a motor vehicle to leave the premises of an 144
establishment at which gasoline is offered for retail sale 145
without the offender making full payment for gasoline that was 146
dispensed into the fuel tank of the motor vehicle or into 147
another container, the court may do one of the following: 148

(a) Unless division ~~(B) (10) (b)~~ (B) (11) (b) of this section 149
applies, suspend for not more than six months the offender's 150
driver's license, probationary driver's license, commercial 151
driver's license, temporary instruction permit, or nonresident 152
operating privilege; 153

(b) If the offender's driver's license, probationary 154
driver's license, commercial driver's license, temporary 155
instruction permit, or nonresident operating privilege has 156
previously been suspended pursuant to division ~~(B) (10) (a)~~ (B) 157
(11) (a) of this section, impose a class seven suspension of the 158
offender's license, permit, or privilege from the range 159
specified in division (A) (7) of section 4510.02 of the Revised 160
Code, provided that the suspension shall be for at least six 161
months. 162

(c) The court, in lieu of suspending the offender's 163
driver's or commercial driver's license, probationary driver's 164
license, temporary instruction permit, or nonresident operating 165

privilege pursuant to division ~~(B) (10) (a)~~ (B) (11) (a) or (b) of 166
this section, instead may require the offender to perform 167
community service for a number of hours determined by the court. 168

~~(11)~~ (12) In addition to the penalties described in 169
division (B) (2) of this section, if the offender committed the 170
violation by stealing rented property or rental services, the 171
court may order that the offender make restitution pursuant to 172
section 2929.18 or 2929.28 of the Revised Code. Restitution may 173
include, but is not limited to, the cost of repairing or 174
replacing the stolen property, or the cost of repairing the 175
stolen property and any loss of revenue resulting from 176
deprivation of the property due to theft of rental services that 177
is less than or equal to the actual value of the property at the 178
time it was rented. Evidence of intent to commit theft of rented 179
property or rental services shall be determined pursuant to the 180
provisions of section 2913.72 of the Revised Code. 181

(C) The sentencing court that suspends an offender's 182
license, permit, or nonresident operating privilege under 183
division ~~(B) (10)~~ (B) (11) of this section may grant the offender 184
limited driving privileges during the period of the suspension 185
in accordance with Chapter 4510. of the Revised Code. 186

Sec. 2913.51. (A) As used in this section: 187

(1) "Bulk merchandise container" has the same meaning as 188
in section 4737.012 of the Revised Code. 189

(2) "Catalytic converter" and "special purchase article" 190
have the same meanings as in section 4737.04 of the Revised 191
Code. 192

(3) "Dangerous drug" has the same meaning as in section 193
4729.01 of the Revised Code. 194

(4) "Dangerous ordnance" and "firearm" have the same 195
meanings as in section 2923.11 of the Revised Code. 196

(5) "Motor vehicle" has the same meaning as in section 197
4501.01 of the Revised Code. 198

(B) No person shall receive, retain, or dispose of 199
property of another knowing or having reasonable cause to 200
believe that the property has been obtained through commission 201
of a theft offense. 202

~~(B)~~ (C) It is not a defense to a charge of receiving 203
stolen property in violation of this section that the property 204
was obtained by means other than through the commission of a 205
theft offense if the property was explicitly represented to the 206
accused person as being obtained through the commission of a 207
theft offense. 208

~~(C)~~ (D) Whoever violates this section is guilty of 209
receiving stolen property. Except as otherwise provided in this 210
division or division ~~(D)~~ (E) or (F) of this section, receiving 211
stolen property is a misdemeanor of the first degree. If the 212
value of the property involved is one thousand dollars or more 213
and is less than seven thousand five hundred dollars, if the 214
property involved is any of the property listed in section 215
2913.71 of the Revised Code, receiving stolen property is a 216
felony of the fifth degree. If the property involved is a motor 217
vehicle, ~~as defined in section 4501.01 of the Revised Code, if~~ 218
~~the property involved is a dangerous drug, a firearm, or~~ 219
~~dangerous ordnance, as defined in section 4729.01 of the Revised~~ 220
~~Code, or~~ if the value of the property involved is seven thousand 221
five hundred dollars or more and is less than one hundred fifty 222
thousand dollars, ~~or if the property involved is a firearm or~~ 223
~~dangerous ordnance, as defined in section 2923.11 of the Revised~~ 224

Code, receiving stolen property is a felony of the fourth 225
degree. If the value of the property involved is one hundred 226
fifty thousand dollars or more, receiving stolen property is a 227
felony of the third degree. 228

~~(D)~~ (E) Except as provided in division ~~(C)~~ (D) of this 229
section with respect to property involved in a violation of this 230
section with a value of seven thousand five hundred dollars or 231
more, if the property involved in violation of this section is a 232
special purchase article ~~as defined in section 4737.04 of the~~ 233
~~Revised Code~~, other than a catalytic converter, or a bulk 234
merchandise container ~~as defined in section 4737.012 of the~~ 235
~~Revised Code~~, a violation of this section is receiving a stolen 236
special purchase article or articles or receiving a stolen bulk 237
merchandise container or containers, a felony of the fifth 238
degree. 239

(F) (1) Except as otherwise provided in this division, if 240
the property involved is a catalytic converter, a violation of 241
this section is receiving a stolen catalytic converter, a felony 242
of the fifth degree. 243

(2) If the offender has previously been convicted of or 244
pleaded guilty to a violation of Chapter 2911. or 2913. of the 245
Revised Code, receiving a stolen catalytic converter is a felony 246
of the fourth degree. 247

(3) If the property involved is a catalytic converter and 248
the offender is a business entity, a violation of this section 249
is enterprise receipt of a stolen catalytic converter and, 250
notwithstanding section 2929.31 of the Revised Code, is 251
punishable by a fine of not less than ten thousand dollars and 252
not more than fifty thousand dollars per violation. 253

(4) The clerk of the court shall pay any fine imposed 254
pursuant to division (F) of this section to the county, 255
township, municipal corporation, park district, as created 256
pursuant to section 511.18 or 1545.04 of the Revised Code, or 257
state law enforcement agencies in this state that primarily were 258
responsible for or involved in arresting and prosecuting the 259
offender. 260

Sec. 4737.012. (A) Notwithstanding ~~division (A) of~~ section 261
4737.01 of the Revised Code, a dealer who is in the business of 262
purchasing, reselling, exchanging, recycling, shredding, or 263
receiving bulk merchandise containers shall not purchase or 264
receive plastic bulk merchandise containers that are marked with 265
a company name or logo, or more than nine wooden bulk 266
merchandise containers, from any other person at one time, 267
unless the dealer maintains a record book or electronic file in 268
which the dealer keeps an accurate and complete record of all 269
containers purchased or received by the dealer. Every entry in 270
the record book or electronic file shall be numbered 271
consecutively. Until the registry developed by the director of 272
public safety pursuant to section 4737.045 of the Revised Code 273
is operational, a dealer shall maintain the record for each 274
container purchased or received for a minimum period of one year 275
after the date the dealer purchased or received the container. 276
Beginning on the date the registry is operational, a dealer 277
shall maintain the record for each container purchased or 278
received only for a period of sixty days after the date the 279
dealer purchased or received the container. The director shall 280
adopt rules for the format and maintenance of the records 281
required under this division. 282

The records shall contain all of the following: 283

(1) The name and residence of the person from whom the 284
containers were purchased or received, a copy of that person's 285
personal identification card, and, if required, a photograph of 286
the person taken pursuant to division (B)(2) of this section; 287

(2) A description of the containers, including the number 288
purchased or received and, if required, a photograph of the 289
containers taken pursuant to division (B)(1) of this section; 290

(3) The date and time the dealer purchased or received the 291
containers; 292

(4) If the seller or provider of the containers arrives at 293
the dealer's place of business in a motor vehicle, the license 294
plate number of that motor vehicle along with the state that 295
issued the license plate. 296

(B) Every dealer who is in the business of reselling bulk 297
merchandise containers shall take a photograph, in accordance 298
with rules adopted by the director, of both of the following: 299

(1) Each container for which the dealer must make a record 300
under division (A) of this section; 301

(2) Each person who sells or otherwise gives the dealer 302
the containers. 303

The dealer shall take the required photographs at the time 304
the dealer purchases or receives the containers and shall keep 305
the photographs as part of the record in accordance with 306
division (A) of this section. 307

(C) A dealer who is in the business of purchasing, 308
reselling, exchanging, recycling, shredding, or receiving bulk 309
merchandise containers shall fulfill the requirements of section 310
4737.041 of the Revised Code with respect to the containers 311

purchased or received by the dealer for which the dealer must 312
make a record under division (A) of this section. No dealer 313
shall purchase or receive any bulk merchandise container for 314
which the dealer must make a record under division (A) of this 315
section without complying with ~~division (B), (C), or (D)~~ 316
divisions (A) (2) to (4) of section 4737.041 of the Revised Code. 317

(D) As used in this section, "bulk merchandise container" 318
means a plastic or wooden carrier or holder used by a 319
manufacturer or distributor to transport merchandise to 320
wholesale and retail outlets. 321

Sec. 4737.04. (A) As used in this section and sections 322
4737.041, 4737.042, 4737.043, 4737.044, 4737.045, 4737.046, and 323
4737.99 of the Revised Code: 324

(1) "Scrap metal dealer" means the owner or operator of a 325
business that purchases or receives scrap metal for the purpose 326
of sorting, grading, and shipping metals to third parties for 327
direct or indirect melting into new products. 328

(2) "Special purchase article" means all of the following: 329

(a) Beer kegs; 330

(b) Cable, wire, electrical components, and other 331
equipment used in providing cable service or any utility 332
service, including, but not limited to, copper or aluminum 333
coverings, housings, or enclosures related thereto; 334

(c) Grave markers, sculptures, plaques, and vases made out 335
of metal, the appearance of which suggests that the articles 336
have been obtained from a cemetery; 337

(d) Guard rails for bridges, highways, and roads; highway 338
and street signs; street light poles and fixtures; worker access 339

hole covers, water meter covers, and other similar types of 340
utility access covers; traffic directional and control signs and 341
light signals, metal marked with the name of a political 342
subdivision of the state, and other metal articles that are 343
purchased and installed for use upon authorization of the state 344
or any political subdivision of the state; 345

(e) Historical, commemorative, and memorial markers and 346
plaques made out of metal; 347

(f) Four-wheel metal carts, commonly referred to as 348
"grocery carts," that are generally used by individuals to 349
collect and transport consumer goods while shopping; 350

(g) Four-wheel metal carts, commonly referred to as "metal 351
bossies," that are used to transport or merchandise food 352
products that are stored in crates, shells, or trays; 353

(h) Railroad material, including journal brasses, rail 354
spikes, rails, tie plates, frogs, and communication wire; 355

(i) Metal trays, merchandise containers, or similar 356
transport containers used by a product producer, distributor, 357
retailer, or an agent of a product producer, distributor, or 358
retailer as a means for the bulk transportation, storage, or 359
carrying of retail containers of milk, baked goods, eggs, or 360
bottled beverage products; 361

(j) "Burnt wire," which is any coated metal wire that has 362
been smelted, burned, or melted thereby removing the 363
manufacturer's or owner's identifying marks; 364

(k) Catalytic converters. 365

(3) "Bulk merchandise container" has the same meaning as 366
in section 4737.012 of the Revised Code. 367

(4) "Bulk merchandise container dealer" means a dealer who 368
is subject to section 4737.012 of the Revised Code. 369

(5) "Catalytic converter" includes a catalytic converter 370
core. 371

(6) "Common recycled matter" means bottles and other 372
containers made out of steel, tin, or aluminum and other 373
consumer goods that are metal that are recycled by individual 374
consumers and not in the bulk or quantity that could be supplied 375
or recycled by large business establishments. "Common recycled 376
matter" does not include a metal tray used by a product 377
producer, distributor, retailer, or agent of a product producer, 378
distributor, or retailer as a means for the bulk transportation, 379
storage, or carrying of retail containers of milk, baked goods, 380
eggs, or bottled beverage products. 381

~~(6)~~ (7) "Consumer goods" has the same meaning as in 382
section 1309.102 of the Revised Code. 383

~~(7)~~ (8) "Recyclable materials" means the metal materials 384
described in division (C) (5) of this section, on the condition 385
that those metal materials are not special purchase articles. 386

~~(8)~~ (9) "Motor vehicle" has the same meaning as in section 387
4501.01 of the Revised Code. 388

(B) (1) No person shall engage in the business of scrap 389
metal dealing or act as a bulk merchandise container dealer 390
without first registering with the director of public safety in 391
accordance with section 4737.045 of the Revised Code. 392

(2) No person shall receive, purchase, or sell a special 393
purchase article or a bulk merchandise container except as in 394
accordance with sections 4737.012 and 4737.04 to ~~4737.045~~ 395
4737.046 of the Revised Code. 396

(C) Every scrap metal dealer shall maintain a record book 397
or electronic file, in which the dealer shall keep an accurate 398
and complete record of all articles purchased or received by the 399
dealer in the course of the dealer's daily business. The record 400
shall include a copy of any check issued pursuant to division 401
(A) (4) of section 4737.041 of the Revised Code. On and after 402
September 11, 2008, every entry in the record book or electronic 403
file shall be numbered consecutively and, on or after September 404
28, 2012, shall be maintained for inspection in numerical order. 405
Until the registry developed by the director pursuant to section 406
4737.045 of the Revised Code is operational, a dealer shall 407
maintain the record for each article purchased or received for a 408
minimum period of one year after the date the dealer purchased 409
or received the article, except that the dealer shall maintain 410
the photograph required under division (I) of this section only 411
for a period of sixty days after the dealer purchased or 412
received the article. Beginning on the date the registry is 413
operational, a dealer shall maintain the record for each article 414
purchased or received only for a period of sixty days after the 415
date the dealer purchased or received the article. The director 416
shall adopt rules for the format and maintenance of the records 417
required under this division. 418

The records shall contain all of the following: 419

(1) The name and residence of the person from whom the 420
articles were purchased or received, a copy of that person's 421
personal identification card, and a photograph of the person 422
taken pursuant to division (I) of this section; 423

(2) The date and time the scrap metal dealer purchased or 424
received the articles and the weight of the articles as 425
determined by a licensed commercial scale; 426

(3) If the seller or provider of the articles arrives at 427
the dealer's place of business in a motor vehicle, the license 428
plate number of that motor vehicle along with the state that 429
issued the license plate; 430

(4) For metal articles that are not recyclable materials, 431
a full and accurate description of each article purchased or 432
received by the dealer that includes identifying letters or 433
marks written, inscribed, or otherwise included on the article 434
and the name and maker of the article if known; 435

(5) For recyclable materials that are not special purchase 436
articles, the following category codes to identify the 437
recyclable materials that the dealer receives: 438

(a) "Number one copper," which includes clean copper pipe, 439
clean copper wire, or other number one copper that does not have 440
solder, paint, or coating; 441

(b) "Number two copper," which includes unclean copper 442
pipe, unclean copper wire, or other number two copper; 443

(c) "Sheet copper," which includes copper roofing, copper 444
gutters, copper downspouts, and other sheet copper; 445

(d) "Insulated copper wire"; 446

(e) "Aluminum or copper radiators," which includes 447
aluminum radiators, aluminum copper radiators, and copper 448
radiators; 449

(f) "Red brass," which includes red brass valves and other 450
red brass; 451

(g) "Yellow brass," which includes yellow brass fixtures, 452
yellow brass valve and fitting, ornamental brass, and other 453
yellow brass; 454

(h) "Aluminum sheet";	455
(i) "Aluminum extrusions," which includes aluminum	456
bleachers, aluminum benches, aluminum frames, aluminum pipe, and	457
other aluminum extrusions;	458
(j) "Cast aluminum," which includes aluminum grills,	459
lawnmower decks made of aluminum, aluminum motor vehicle parts	460
and rims, and other cast aluminum;	461
(k) "Clean aluminum wire";	462
(l) "Unclean aluminum wire";	463
(m) "Aluminum exteriors," which includes aluminum siding,	464
aluminum gutters and downspouts, aluminum shutters, aluminum	465
trim, and other aluminum exterior items;	466
(n) "Contaminated aluminum";	467
(o) "Stainless steel," which includes, sinks, appliance	468
housing, dishes, pots, pans, pipe, and other items made out of	469
stainless steel;	470
(p) "Large appliances," which includes consumer and other	471
appliances;	472
(q) "Steel structural," which includes all structural	473
steel such as I-beams, trusses, channel iron, and similar steel	474
from buildings;	475
(r) "Miscellaneous steel," which includes steel grates,	476
steel farm machinery, steel industrial machinery, steel motor	477
vehicle frames, and other items made out of steel;	478
(s) "Sheet irons," which includes bicycles, motor vehicle	479
body parts made of iron, and other items made using sheet iron;	480
(t) "Motor vehicle nonbody parts," which includes motor	481

vehicle batteries, radiators, and other nonbody motor vehicle 482
parts; 483

(u) ~~"Catalytic converters";~~ 484

~~(v)~~ "Lead"; 485

~~(w)~~ (v) "Electric motors"; 486

~~(x)~~ (w) "Electronic scrap," which includes any consumer or 487
commercial electronic equipment such as computers, servers, 488
routers, video displays, and similar products. 489

(6) For recyclable materials that are special purchase 490
articles, the relevant category provided in division (A) (2) of 491
this section. 492

(D) Railroad material, including journal brasses, rail 493
spikes, rails, tie plates, frogs, and communication wire, other 494
than purchases and sales under sections 4973.13 to 4973.16 of 495
the Revised Code, shall be held by a scrap metal dealer for a 496
period of thirty days after being purchased or acquired. 497

(E) (1) The records required under division (C) of this 498
section or under section 4737.012 of the Revised Code shall be 499
open for inspection by the representative of any law enforcement 500
agency, railroad police officers, and the director of public 501
safety or the director's designated representative during all 502
business hours. A scrap metal dealer or bulk merchandise 503
container dealer shall do ~~both~~ all of the following: 504

(a) Provide a copy of those records to any law enforcement 505
agency or railroad police officer that requests the records or 506
to the director or director's representative, upon request; 507

(b) Prepare a daily electronic report, the content and 508
format of which shall be established in rules adopted by the 509

director, listing all retail transactions that occurred during 510
the preceding day and containing the information described in 511
division (C) of this section or division (A) of section 4737.012 512
of the Revised Code, as applicable. The dealer shall 513
electronically transfer, by twelve noon eastern standard time, 514
the report to the director of public safety for inclusion in the 515
registry created pursuant to division (E) of section 4737.045 of 516
the Revised Code. 517

(2) A law enforcement agency may inspect any photographic 518
records collected and maintained by a scrap metal dealer of 519
either yard operations or individual transactions. Records 520
submitted to any law enforcement agency pursuant to this section 521
are not public records for purposes of section 149.43 of the 522
Revised Code. 523

(3) Records submitted to any law enforcement agency, 524
railroad police officer, or the director of public safety or the 525
director's designated representative as required by section 526
4737.012 of the Revised Code and sections 4737.04 to ~~4737.045~~ 527
4737.046 of the Revised Code shall not be public records for the 528
purposes of section 149.43 of the Revised Code. 529

(4) Notwithstanding division (E)(3) of this section, the 530
names and addresses of scrap metal dealers and bulk merchandise 531
container dealers shall be made available to the public by the 532
director upon request. 533

(5) A person who claims to own a stolen article that may 534
be identified in those records, or an agent of that person, who 535
provides proof of having filed a stolen property report with the 536
appropriate law enforcement agency, may request those records. 537
The law enforcement agency shall provide those records upon a 538
request made by such a person or that person's agent, but the 539

law enforcement agency shall redact information that reveals the 540
name of the seller of any article and the price the dealer paid 541
for any article the dealer purchased or the estimated value of 542
any article the dealer received. The law enforcement agency 543
shall determine which records to provide, based upon the time 544
period that the alleged theft is reported to have taken place. A 545
law enforcement agency may charge or collect a fee for providing 546
records as required by this section. 547

(6) The director of public safety shall impose a civil 548
penalty of five hundred dollars on a person who violates 549
division (E) (1) (b) of this section, including any person who 550
concurrently violates division (G) (2) of section 4737.046 of the 551
Revised Code. The director shall impose an additional fine of 552
five hundred dollars for each day the violation continues. The 553
director shall deposit the fine into the state treasury to the 554
credit of the infrastructure protection fund created under 555
section 4737.045 of the Revised Code. 556

(7) The director of public safety shall suspend, in 557
accordance with Chapter 119. of the Revised Code, the 558
registration of a person that violates division (E) (1) (b) of 559
this section until such time as the director determines that the 560
person has taken necessary steps to comply with that division. A 561
person whose registration is suspended under this division may 562
petition the director for reinstatement not more than once every 563
ninety days. The director's determination as to whether to grant 564
such a petition and reinstate the person's registration is 565
subject to appeal under section 119.12 of the Revised Code. 566

(F) (1) No scrap metal dealer shall purchase or receive any 567
metal articles, and no bulk merchandise container dealer shall 568
purchase or receive any bulk merchandise containers, from a 569

person who refuses to show the dealer the person's personal 570
identification card, or who refuses to allow the dealer to take 571
a photograph of the person as required under division (I) of 572
this section or of the person or container as required under 573
division (B) of section 4737.012 of the Revised Code. 574

(2) The law enforcement agency that serves the 575
jurisdiction in which a scrap metal dealer or a bulk merchandise 576
container dealer is located shall provide to the scrap metal 577
dealer or bulk merchandise container dealer a searchable, 578
electronic list prepared in accordance with rules adopted by the 579
director, as that agency determines appropriate, of the names 580
and descriptions of persons known to be thieves or receivers of 581
stolen property. The law enforcement agency may request the 582
appropriate clerk of courts to provide the list. No scrap metal 583
dealer or bulk merchandise container dealer shall purchase or 584
receive articles from any person who is either identified on the 585
list the dealer receives from the law enforcement agency, or who 586
appears on the lists made available by the director pursuant to 587
division (E) of section 4737.045 of the Revised Code. The law 588
enforcement agency also shall provide the list, in an electronic 589
format, ~~to the department of public safety, in an electronic~~ 590
~~format in accordance with rules adopted by the director,~~ 591
for 592
inclusion in the registry created in under division (E) of 592
section 4737.045 of the Revised Code. 593

(3) A law enforcement agency shall submit all records of 594
any investigation into a scrap metal dealer, bulk merchandise 595
container dealer, or holder of a bulk used catalytic converter 596
sales license to the registry created pursuant to division (E) 597
of section 4737.045 of the Revised Code. 598

(4) No scrap metal dealer or bulk merchandise container 599

dealer shall purchase or receive any special purchase articles 600
or bulk merchandise containers from any person who is under 601
eighteen years of age. 602

~~(4)~~ (5) No scrap metal dealer shall purchase or receive 603
any special purchase article without complying with division (C) 604
and (I) of this section and ~~division (B), (C), or (D)~~ divisions 605
(A) (2) to (4) of section 4737.041 of the Revised Code. 606

~~(5)~~ (6) No scrap metal dealer shall purchase or receive 607
more than one catalytic converter per day from the same person 608
except from a motor vehicle dealer as defined in section 4517.01 609
of the Revised Code. 610

~~(6)~~ (7) No scrap metal dealer shall purchase or receive a 611
beer keg that is marked with a company name or logo except from 612
a manufacturer of beer as described in section 4303.02 of the 613
Revised Code or an agent authorized by the manufacturer to 614
dispose of damaged kegs. 615

~~(7)~~ (8) No scrap metal dealer shall treat a transaction as 616
exempt from section 4737.04 or 4737.041 of the Revised Code 617
unless the seller provides evidence of satisfying division (D) 618
(3) of section 4737.043 of the Revised Code. 619

~~(G)~~ (G) (1) Every scrap metal dealer and bulk merchandise 620
container dealer shall post a notice in a conspicuous place on 621
the dealer's premises notifying persons who may wish to transact 622
business with the dealer of the penalties applicable to any 623
person who does any of the following: 624

~~(1)~~ (a) Provides a false personal identification card to 625
the dealer; 626

~~(2)~~ (b) With purpose to defraud, provides any other false 627
information to the dealer in connection with the dealer's duty 628

to maintain the records required under division (C) of this 629
section or under section 4737.012 of the Revised Code; 630

~~(3)~~ (c) Violates section 2913.02 of the Revised Code. 631

(2) Every scrap metal dealer shall post a notice in a 632
conspicuous place on the dealer's premises notifying persons 633
that catalytic converters are special purchase articles. 634

(3) (a) Every scrap metal dealer and bulk merchandise 635
container dealer shall post a copy of its registration in a 636
conspicuous place on the dealer's premises. 637

(b) The director of public safety shall impose a civil 638
penalty of five hundred dollars on any person who violates 639
division (G) (3) (a) of this section and shall deposit that 640
penalty into the state treasury to the credit of the 641
infrastructure protection fund created under section 4737.045 of 642
the Revised Code. 643

(H) (1) Except as otherwise provided in division (F) (2) of 644
this section, a clerk of courts or an employee of a clerk of 645
courts; a chief of police, marshal, or other chief law 646
enforcement officer; a sheriff, constable, or chief of police of 647
a township police department or police district police force; a 648
deputy, officer, or employee of the law enforcement agency 649
served by the marshal or the municipal or township chief, the 650
office of the sheriff, or the constable; and an employee of the 651
department of public safety is immune from liability in a civil 652
action, including an action for defamation, libel, or slander, 653
to recover damages for injury, death, or loss to persons or 654
property or reputation allegedly caused by an act or omission in 655
connection with compiling and providing the list required by 656
division (F) (2) of this section. 657

(2) The immunity described in division (H) (1) of this 658
section does not apply to a person described in that division 659
if, in relation to the act or omission in question, any of the 660
following applies: 661

(a) The act or omission was manifestly outside the scope 662
of the person's employment or official responsibilities. 663

(b) The act or omission was with malicious purpose, in bad 664
faith, or in a wanton or reckless manner. 665

(c) Liability for the act or omission is expressly imposed 666
by a section of the Revised Code. 667

(I) Every scrap metal dealer shall take a photograph, in 668
accordance with rules adopted by the director, of each person 669
who sells or otherwise gives the dealer an article for which the 670
dealer must make record under division (C) of this section. 671

The dealer shall take the required photograph at the time 672
the dealer purchases or receives the article and shall keep the 673
photograph as part of the record in accordance with division (C) 674
of this section. 675

(J) (1) An individual listed as a known thief or receiver 676
of stolen property on a list prepared pursuant to division (F) 677
(2) of this section may request that the individual's name be 678
removed from the list by filing an application with the law 679
enforcement agency responsible for preparing the list. 680

(2) A law enforcement agency receiving an application in 681
accordance with division (J) (1) of this section shall remove the 682
applicant's name from the list of known thieves and receivers of 683
stolen property if the individual has not been convicted of or 684
pleaded guilty to either a misdemeanor that is a theft offense, 685
as defined in section 2913.01 of the Revised Code, within three 686

years immediately prior to the date of the application or a 687
felony that is a theft offense within six years immediately 688
prior to the date of the application. 689

Sec. 4737.041. (A) A scrap metal dealer or bulk 690
merchandise container dealer shall do all of the following with 691
respect to each special purchase article the scrap metal dealer 692
purchases or receives or with respect to each bulk merchandise 693
container a bulk merchandise container dealer purchases or 694
receives that is subject to division (A) of section 4737.012 of 695
the Revised Code: 696

~~(A)~~ (1) Comply with the requirements of this section in 697
addition to complying with the applicable requirements of 698
section 4737.012 or 4737.04 of the Revised Code; 699

~~(B)~~ (2) Take a photograph of each special purchase article 700
or bulk merchandise container; 701

~~(C)~~ (3) Obtain from the seller or provider of the special 702
purchase article or bulk merchandise container proof that the 703
seller or provider owns the special purchase article or bulk 704
merchandise container~~+~~. If the item is a catalytic converter, 705
only the following items constitute proof of ownership: 706

(a) If the seller or provider is the owner of the motor 707
vehicle from which the catalytic converter was removed, either 708
of the following: 709

(i) Title to or registration of the vehicle from which the 710
catalytic converter was removed; 711

(ii) A bill, invoice, or receipt from a motor vehicle 712
collision repair operator as defined in section 4775.01 of the 713
Revised Code or a motor vehicle dealer as defined in section 714
4517.01 of the Revised Code that clearly indicates both of the 715

following: 716

(I) The removal and replacement of the catalytic 717
converter; 718

(II) The make, model, year, and vehicle identification 719
number of the motor vehicle that was repaired. 720

(b) If the seller or provider is the motor vehicle 721
collision repair operator that repaired the motor vehicle from 722
which the catalytic converter was removed, both of the 723
following: 724

(i) The motor vehicle collision repair operator's 725
registration certificate; 726

(ii) A bill, invoice, or receipt that clearly indicates 727
both of the following: 728

(I) The removal and replacement of the catalytic 729
converter; 730

(II) The make, model, year, and vehicle identification 731
number of the motor vehicle that was repaired. 732

~~(D)~~ (4) If payment is rendered for the special purchase 733
articles or bulk merchandise containers, issue a check for the 734
purchase of the special purchase articles or bulk merchandise 735
containers; 736

~~(E)~~ (5) Withhold payment for the purchase of the special 737
purchase articles or bulk merchandise containers for a period of 738
two days after the day the special purchase articles or bulk 739
merchandise containers are purchased; 740

~~(F)~~ (6) If an asserted owner of stolen special purchase 741
articles or bulk merchandise containers or that owner's agent 742

provides proof of having filed a stolen property report with the 743
appropriate law enforcement agency, make records describing 744
special purchase articles or bulk merchandise containers the 745
dealer purchased or received after the alleged date of theft 746
available for inspection to the asserted owner or owner's agent 747
for a period of six months after the alleged date of theft of 748
the articles, except that the dealer shall withhold the name of 749
the person from whom the special purchase articles or bulk 750
merchandise containers were purchased or received and the amount 751
paid for the special purchase articles or bulk merchandise 752
containers. 753

(B) A person, other than a scrap metal dealer or a motor 754
vehicle dealer licensed under Chapter 4517. of the Revised Code, 755
when receiving a used catalytic converter in the ordinary course 756
of business, including a person licensed or registered under 757
Chapter 4737., 4738., or 4775. of the Revised Code, shall meet 758
the requirements of division (A) of this section with respect to 759
each used catalytic converter the person purchases or receives 760
as if the person were a scrap metal dealer, including the 761
requirements of divisions (C), (E), and (F) of section 4737.04 762
of the Revised Code. No person described in this division shall 763
recklessly fail to comply with this division. 764

Sec. 4737.045. (A) To register as a scrap metal dealer or 765
a bulk merchandise container dealer with the director of public 766
safety as required by division (B) of section 4737.04 of the 767
Revised Code, a person shall do all of the following: 768

(1) Provide the name and street address of the dealer's 769
place of business; 770

(2) Provide the name of the primary owner of the business, 771
and of the manager of the business, if the manager is not the 772

primary owner; 773

(3) Provide the electronic mail address of the business; 774

(4) Provide confirmation that the dealer has the 775
capabilities to electronically connect with the department of 776
public safety for the purpose of sending and receiving 777
information; 778

(5) Provide any other information required by the director 779
in rules the director adopts pursuant to sections 4737.01 to 780
~~4737.045~~ 4737.046 of the Revised Code; 781

(6) Pay an initial registration fee of two hundred 782
dollars. 783

(B) A person engaging in the business of a scrap metal 784
dealer or a bulk merchandise container dealer in this state on 785
or before September 28, 2012, shall register with the director 786
not later than January 1, 2013. With respect to a person who 787
commences engaging in the business of a scrap metal dealer or a 788
bulk merchandise container dealer after September 28, 2012, the 789
person shall register with the director pursuant to this section 790
prior to commencing business as a scrap metal dealer or a bulk 791
merchandise container dealer. 792

(C) A registration issued to a scrap metal dealer or a 793
bulk merchandise container dealer pursuant to this section is 794
valid for a period of one year. A dealer shall renew the 795
registration in accordance with the rules adopted by the 796
director and pay a renewal fee of one hundred fifty dollars to 797
cover the costs of operating and maintaining the registry 798
created pursuant to division (E) of this section. 799

(D) A scrap metal dealer or a bulk merchandise container 800
dealer registered under this section shall prominently display a 801

copy of the annual registration certificate received from the 802
director pursuant to division (E) (2) of this section. 803

(E) The director shall do all of the following: 804

(1) Develop and implement, by January 1, 2014, and 805
maintain as a registry a secure database for use by law 806
enforcement agencies that is capable of all of the following: 807

(a) Receiving and securely storing all of the information 808
required by division (A) of this section and the daily 809
transaction data that scrap metal dealers and bulk merchandise 810
dealers are required to send pursuant to division (E) (1) of 811
section 4737.04 of the Revised Code; 812

(b) Providing secure search capabilities to law 813
enforcement agencies for enforcement purposes; 814

(c) Creating a link and retransmission capability for 815
receipt of routine scrap theft alerts published by the institute 816
of scrap recycling industries for transmission to dealers and 817
law enforcement agencies in the state; 818

(d) Making the electronic lists prepared pursuant to 819
division (F) (2) of section 4737.04 of the Revised Code available 820
through an electronic searchable format for individual law 821
enforcement agencies and for dealers in the state; 822

(e) Based on the data submitted under division (E) (1) (b) 823
of section 4737.04, and division (C) of section 4737.25 of the 824
Revised Code, compiling a list of all persons who, without the 825
license required under section 4737.21 of the Revised Code, sold 826
used catalytic converters in bulk, and making that list 827
available in an electronic searchable format for individual law 828
enforcement agencies, dealers in this state, and persons who 829
purchase or intend to purchase catalytic converters in this 830

state. 831

(f) Providing, without charge, interlink programming 832
enabling the transfer of information to dealers. 833

(2) Issue, reissue, or deny registration to dealers; 834

(3) Adopt rules to enforce sections 4737.01 to 4737.045 of 835
the Revised Code, rules establishing procedures to renew a 836
registration issued under this section, rules for the format and 837
maintenance for the records required under division (A) of 838
section 4737.012 of the Revised Code or division (C) of section 839
4737.04 of the Revised Code, and rules regarding the delivery of 840
the report required by division (E) (1) of section 4737.04 of the 841
Revised Code to the registry, which shall be used exclusively by 842
law enforcement agencies. 843

(F) A scrap metal dealer or bulk merchandise container 844
dealer may search, modify, or update only the dealer's own 845
business data contained within the registry established in 846
division (E) of this section. 847

(G) All fees received by the director pursuant to this 848
section and division (F) of section 4737.99 of the Revised Code 849
shall be used to develop and maintain the registry required 850
under this section and for the department of public safety's 851
operating expenses. The fees shall be deposited into the 852
infrastructure protection fund which is hereby created in the 853
state treasury. 854

(H) (1) The director of public safety shall not issue a 855
registration to, or renew the registration of, a person who was 856
convicted of, or pleaded guilty to, a violation of section 857
4737.041 of the Revised Code, a violation of section 2923.03 of 858
the Revised Code when division (G) of section 4737.99 of the 859

Revised Code applies, a violation of section 2913.02 of the 860
Revised Code when the person is sentenced pursuant to division 861
(B) (10) of that section, or a violation of section 2913.51 of 862
the Revised Code when the person is sentenced pursuant to 863
division (F) of that section. 864

(2) The director of public safety shall revoke the 865
registration of a person who is convicted of or pleads guilty to 866
a violation of section 4737.041 of the Revised Code, a violation 867
of section 2923.03 of the Revised Code when division (G) of 868
section 4737.99 of the Revised Code applies, a violation of 869
section 2913.02 of the Revised Code when the person is sentenced 870
pursuant to division (B) (10) of that section, or a violation of 871
section 2913.51 of the Revised Code when the person is sentenced 872
pursuant to division (F) of that section. 873

Sec. 4737.046. (A) As used in this section, "to sell used 874
catalytic converters in bulk" has the same meaning as in section 875
4737.20 of the Revised Code. 876

(B) Subject to division (C) of this section, the director 877
of public safety may investigate a scrap metal dealer, bulk 878
merchandise container dealer, a person described in division (B) 879
of section 4737.041 of the Revised Code, a person selling used 880
catalytic converters in bulk, and any employee, officer, or 881
agent of any of the foregoing. As part of the investigation, the 882
director may search the person's premises during the person's 883
regular work hours or between the hours of eight a.m. and five 884
p.m., Monday through Friday. 885

(C) The director shall commence an investigation only if 886
both of the following conditions are met: 887

(1) The director receives a verified written complaint, 888

supported by evidence, indicating that the person is, has been, 889
or will be in violation of any provision of this chapter. 890

(2) The director determines that a prima-facie case exists 891
that the person is, has been, or will be in violation of any 892
provision of sections 4737.04 to 4737.046 or 4737.20 to 4737.25 893
of the Revised Code. 894

(D) (1) The director may compel witnesses by subpoena to 895
appear and testify in relation to an investigation under this 896
section, and may compel by subpoena duces tecum the production 897
of any books, papers, documents, or other records pertaining to 898
such an investigation. 899

(2) If a person does not comply with a subpoena or 900
subpoena duces tecum issued under division (D) (1) of this 901
section, the director may apply to the court of common pleas of 902
Franklin county or of the county in which the person conducts 903
business for an order compelling the person to comply with the 904
subpoena or subpoena duces tecum or, for failure to do so, be 905
held in contempt of court. 906

(E) If as a result of an investigation the director finds 907
that a person violated any provision of sections 4737.04 to 908
4737.046 or 4737.20 to 4737.25 of the Revised Code, the director 909
shall suspend the person's registration or license and shall 910
reinstate the registration or license upon evidence that the 911
person has remedied the violation. The director shall revoke a 912
registration or license if the director finds a subsequent 913
violation of any provision of this chapter in any subsequent 914
investigation. 915

(F) (1) No person shall undertake any activities that 916
require registration under section 4737.045 or licensure under 917

section 4737.23 of the Revised Code following a suspension or 918
revocation. 919

(2) Following a suspension or revocation, the director 920
shall conduct a follow-up investigation to determine whether the 921
person violated division (F) (1) of this section. If the director 922
determines the person violated division (F) (1) of this section, 923
the director shall seek an injunction from the court of common 924
pleas of Franklin county or of the county in which the person 925
conducts business ordering the person to cease the violation. 926

(G) (1) The director may investigate, on the director's own 927
initiative, the actions or proposed actions of a person who is 928
not registered under section 4737.045 of the Revised Code or 929
licensed under section 4737.23 of the Revised Code and who 930
appears to be acting as a scrap metal dealer, bulk merchandise 931
container dealer, or seller of used catalytic converters in 932
bulk. The director shall investigate such a person if a verified 933
written complaint is filed indicating that a person was, is, or 934
will be acting as a scrap metal dealer, bulk merchandise 935
container dealer, or seller of used catalytic converters in bulk 936
but is not registered or licensed as such, the complaint is 937
supported by evidence, and the director determines that a prima- 938
facie case exists that the person was, is, or will be acting in 939
the alleged manner. 940

(2) If, following an investigation, the director finds 941
that a person acted as a scrap metal dealer, bulk merchandise 942
container dealer, or seller of used catalytic converters in bulk 943
without a registration or license, the director shall do both of 944
the following: 945

(a) Seek an injunction from the court of common pleas of 946
Franklin county or of the county in which the person conducts 947

business ordering the person to cease the violation; 948

(b) Impose a civil penalty of ten thousand dollars in 949
accordance with Chapter 119. of the Revised Code. Each day the 950
violation occurred or continues to occur constitutes a separate 951
violation and is subject to a separate penalty, except that the 952
penalty for each consecutive day after the first day shall be 953
one thousand dollars. 954

(3) The director shall deposit all penalties collected 955
pursuant to division (G) (2) of this section into the state 956
treasury to the credit of the infrastructure protection fund 957
created under section 4737.045 of the Revised Code. 958
Notwithstanding any other provision to the contrary, all such 959
penalties shall be expended only to conduct investigations 960
authorized under this section. 961

(4) If a person fails to pay a civil penalty imposed under 962
division (G) (2) of this section within the time prescribed by 963
the director, the director shall submit to the attorney general 964
the person's name and the amount of the penalty. In that case, 965
the attorney general shall collect the penalty. In addition to 966
the penalty, the attorney general may assess, and the person 967
shall pay, a fee covering the costs of collecting the penalty. 968

(H) (1) A person shall not do any of the following when 969
applying for a registration, licensure, or renewal under section 970
4737.045 or 4737.23 of the Revised Code: 971

(a) Engage in fraud; 972

(b) Knowingly provide false information; 973

(c) Knowingly fail to disclose relevant information that 974
would result in a denial of or nonrenewal of a registration or 975
license. 976

(2) The director shall impose a civil penalty of five 977
hundred dollars on any person who violates division (H) (1) of 978
this section in accordance with Chapter 119. of the Revised 979
Code. The director shall deposit all such penalties into the 980
state treasury to the credit of the infrastructure protection 981
fund created under section 4737.045 of the Revised Code. 982

(I) Any refusal to renew and any denial, suspension, or 983
revocation of any registration or license required under section 984
4737.045 or 4737.23 of the Revised Code is subject to Chapter 985
119. of the Revised Code. 986

(J) The director shall record information on all 987
noninvestigative visits made by the director to a scrap metal 988
dealer, bulk merchandise container dealer, or holder of a bulk 989
used catalytic converter sales license. Such information shall 990
be reported to the public on a quarterly basis via the 991
department of commerce's web site. 992

Sec. 4737.20. As used in sections 4737.20 to 4737.25 of 993
the Revised Code, "to sell used catalytic converters in bulk" 994
means to sell more than one used catalytic converter per day 995
regardless of the number of purchasers. 996

Sec. 4737.21. (A) Except as provided in division (B) of 997
this section, no person shall sell used catalytic converters in 998
bulk without first having obtained a license from the department 999
of public safety. 1000

(B) Notwithstanding any provision in sections 4737.20 to 1001
4737.25 of the Revised Code to the contrary, a person holding a 1002
license or registration pursuant to Chapter 4517., 4737., 4738., 1003
or 4775 of the Revised Code may sell used catalytic converters 1004
in bulk without being separately licensed pursuant to sections 1005

4737.20 to 4737.25 of the Revised Code, so long as such sales 1006
are in the ordinary course of a typical licensee's or 1007
registrant's course of business. 1008

Sec. 4737.22. (A) The director of public safety shall do 1009
all of the following: 1010

(1) Adopt rules in accordance with Chapter 119. of the 1011
Revised Code as necessary to carry out the purposes of sections 1012
4737.20 to 4737.25 of the Revised Code; 1013

(2) Determine whether to refuse to issue, refuse to renew, 1014
suspend, or revoke a license; 1015

(3) Determine whether to waive a suspension of a license 1016
as provided in division (D) of section 4737.23 of the Revised 1017
Code; 1018

(4) Do all acts and perform all functions as are necessary 1019
for the administration and enforcement of sections 4737.20 to 1020
4737.25 of the Revised Code; 1021

(5) Provide a standardized inspection report or form to 1022
local law enforcement to ensure that the inspection process is 1023
streamlined, practical, and fair; 1024

(6) Prepare an annual report summarizing all inspection 1025
reports for the previous year and make the report available to 1026
the public on an annual basis via the department of public 1027
safety web site; 1028

(7) Establish streamlined procedures for receiving 1029
information regarding noncompliance with this chapter relating 1030
to scrap metal dealing and how this information will be 1031
forwarded to the proper legal authorities. 1032

(B) If H.R. 621 of the 118th Congress or similar 1033

legislation becomes law and if the director determines that 1034
adopting a national standard would be in the interest of 1035
citizens of this state, the director may adopt a rule that 1036
prohibits the purchase of a catalytic converter with a stamped 1037
vehicle identification number that does not match the vehicle 1038
identification number of the title of the motor vehicle. 1039

Sec. 4737.23. (A) Each person applying for a bulk used 1040
catalytic converter sales license shall deliver an application 1041
to the director of public safety on a form prescribed by the 1042
director and signed by the applicant. The applicant shall 1043
include with the application the initial licensing fee set forth 1044
in section 4737.24 of the Revised Code. The application shall 1045
include all of the following: 1046

(1) The name and state tax identification number of the 1047
applicant and, if applicable, the location of the applicant's 1048
principal place of business. If the applicant has no principal 1049
place of business, then the home address of the applicant. 1050

(2) The name or style under which the business is to be 1051
conducted, if any, and, in the case of a corporation, the state 1052
of incorporation; 1053

(3) A statement showing whether the applicant has 1054
previously been convicted of or pleaded guilty to an offense 1055
that has a direct nexus to bulk used catalytic converter sales, 1056
including an offense under Chapter 2911., 2913., or 2923. of the 1057
Revised Code, provided the director complies with section 9.79 1058
of the Revised Code; 1059

(4) A statement showing whether the applicant previously 1060
applied for a license under this section and the result of the 1061
application, and whether the applicant has ever been the holder 1062

of any such license that was revoked or suspended; 1063

(5) If the applicant is a corporation or partnership, a 1064
statement showing whether any of the partners, officers, or 1065
directors have been refused a license under this section, or 1066
have been the holder of any such license that was revoked or 1067
suspended; 1068

(6) Any additional information required by the director. 1069

(B) Upon receipt of the completed application form and 1070
fees and if the director determines that the applicant meets the 1071
requirements for licensure under division (A) of this section, 1072
the director shall issue a license to the applicant. 1073

(C) Each license issued under this section expires 1074
annually on the date of its original issuance and may be renewed 1075
in accordance with the standard renewal procedure of Chapter 1076
4745. of the Revised Code. The application for a renewal shall 1077
be accompanied by the same information and proof as is required 1078
to accompany an initial application under division (A) of this 1079
section and the renewal fee set forth in section 4737.24 of the 1080
Revised Code. 1081

(D) When a licensee experiences a change in any 1082
information or data required under division (A) of this section 1083
or by rule of the director for licensure as a seller of bulk 1084
used catalytic converters, the licensee shall submit written 1085
notification of the change to the director within sixty days 1086
after the date that the previously submitted information becomes 1087
obsolete. If a licensee fails to submit the written notification 1088
of a change in information or data within sixty days after the 1089
change in information or data, the licensee's license is 1090
automatically suspended, except that the director may waive the 1091

suspension for good cause shown. 1092

Sec. 4737.24. The initial and annual renewal fee for a 1093
bulk used catalytic converter sales license is two hundred 1094
dollars. 1095

Sec. 4737.25. (A) A person that is required to be licensed 1096
under section 4737.21 of the Revised Code shall maintain 1097
documentation of each used catalytic converter the person sells. 1098
The documentation shall include all of the following: 1099

(1) The name and residence of the purchaser to whom each 1100
used catalytic converter is sold, or the name and business 1101
address of such purchaser if the purchaser is a business; 1102

(2) The date and time of each sale; 1103

(3) If the purchaser arrives at the seller's residence or 1104
place of business in a motor vehicle, the license plate number 1105
of that motor vehicle along with the state that issued the 1106
license plate; 1107

(4) A full and accurate description of each used catalytic 1108
converter sold that includes identifying letters or marks 1109
written, inscribed, or otherwise included on the article and the 1110
name and maker of the used catalytic converter if known. 1111

(B) A person who is required to be licensed under section 1112
4737.21 of the Revised Code shall maintain documentation of each 1113
used catalytic converter the person purchases or receives. The 1114
documentation shall include all of the following: 1115

(1) The name and residence of the person from whom each 1116
used catalytic converter was purchased or received, or the name 1117
and business address of such person if the person is a business; 1118

(2) The date and time each purchase or receipt occurred; 1119

(3) If the seller arrives at the purchaser's residence or 1120
place of business in a motor vehicle, the license plate number 1121
of that motor vehicle along with the state that issued the 1122
license plate; 1123

(4) A full and accurate description of each used catalytic 1124
converter purchased or received that includes identifying 1125
letters or marks written, inscribed, or otherwise included on 1126
the article and the name and maker of the used catalytic 1127
converter if known. 1128

(C) A person who is required to be licensed under section 1129
4737.21 of the Revised Code shall transmit the information 1130
required under divisions (A) and (B) of this section, 1131
immediately upon the completion of each transaction, to the 1132
director of public safety for inclusion in the registry 1133
developed by the director pursuant to division (E) of section 1134
4737.045 of the Revised Code. 1135

(D) (1) A person licensed under section 4737.23 of the 1136
Revised Code shall post a copy of the license in a conspicuous 1137
place on the person's premises. 1138

(2) The director of public safety shall impose a fine of 1139
five hundred dollars on any person who violates division (D) (1) 1140
of this section and shall deposit that fine into the state 1141
treasury to the credit of the infrastructure protection fund 1142
created under section 4737.045 of the Revised Code. 1143

Sec. 4737.98. Notwithstanding any provision of section 1144
121.95 of the Revised Code to the contrary, a regulatory 1145
restriction contained in a rule adopted under this chapter is 1146
not subject to sections 121.95 to 121.953 of the Revised Code. 1147

Sec. 4737.99. (A) Except as specified in divisions (B), 1148

(C), (D), (E), and (F) of this section, whoever violates 1149
sections 4737.01 to 4737.11 of the Revised Code, shall be fined 1150
not less than twenty-five nor more than one thousand dollars and 1151
the costs of prosecution. 1152

(B) Whoever violates division (F) (2) of section 4737.10 of 1153
the Revised Code is guilty of a misdemeanor of the fourth 1154
degree. 1155

~~(C) Whoever~~ (C) (1) Except as provided in division (C) (2) 1156
of this section, whoever fails to comply with or violates 1157
section 4737.01, 4737.012, or 4737.041, division (C), (D), (E), 1158
(F), (G), or (I) of section 4737.04, or division (D) of section 1159
4737.045 of the Revised Code is guilty of a misdemeanor of the 1160
first degree. If the offender one time previously has violated 1161
or failed to comply with section 4737.01, 4737.012, or 4737.041, 1162
division (C), (D), (E), (F), (G), or (I) of section 4737.04, or 1163
division (D) of section 4737.045 of the Revised Code, the 1164
violation or failure is a felony of the fifth degree. If the 1165
offender two or more times previously has violated or failed to 1166
comply with section 4737.01, 4737.012, or 4737.041, division 1167
(C), (D), (E), (F), (G), or (I) of section 4737.04, or division 1168
(D) of section 4737.045 of the Revised Code, the violation or 1169
failure is a felony of the fourth degree. For any second or 1170
subsequent violation of or failure to comply with section 1171
4737.01, 4737.012, or 4737.041, or division (C), (D), (E), (F), 1172
(G), or (I) of section 4737.04, or division (D) of section 1173
4737.045 of the Revised Code, a court may suspend the 1174
registration issued to the scrap metal dealer or bulk 1175
merchandise container dealer under section 4737.045 of the 1176
Revised Code for a period of ninety days, during which time 1177
period the person shall not engage in the business of a scrap 1178
metal dealer or a bulk merchandise container dealer, as 1179

applicable. 1180

(2) Notwithstanding section 2929.31 of the Revised Code, a 1181
business entity that, with respect to the sale, purchase, or 1182
receipt of a catalytic converter, violates division (C), (E) (1), 1183
(F) (2), (F) (5), or (I) of section 4737.04, division (B) of 1184
section 4737.041, or section 4737.25 of the Revised Code shall 1185
be fined not less than ten thousand dollars and not more than 1186
fifty thousand dollars per violation. 1187

(D) Whoever violates division (B) (1) of section 4737.04 of 1188
the Revised Code is guilty of a felony of the fifth degree. The 1189
court also shall enjoin the person from engaging in the business 1190
of a scrap metal dealer or a bulk merchandise dealer. 1191

(E) Whoever violates division (B) (2) of section 4737.04 of 1192
the Revised Code is guilty of a felony of the fifth degree for 1193
the first offense and a felony of the third degree for any 1194
subsequent offense. 1195

(F) Any motor vehicle used in the theft or illegal 1196
transportation of metal shall be impounded for at least thirty 1197
days and not more than sixty days. If the same motor vehicle is 1198
used in connection with a second or subsequent theft or illegal 1199
transportation of metal, the motor vehicle shall be impounded 1200
for at least sixty days and not more than one hundred eighty 1201
days. Any motor vehicle used in the theft or illegal 1202
transportation of a special purchase article or bulk merchandise 1203
container shall be impounded for at least ninety days and not 1204
more than three hundred sixty days. A motor vehicle impounded 1205
pursuant to this division shall be stored at a municipal 1206
corporation impound lot, if available, or at a lot owned by a 1207
private entity or another governmental unit that the municipal 1208
corporation utilizes for the purpose of impounding a motor 1209

vehicle. An impounded motor vehicle may be recovered from the 1210
impound lot at the end of the impound term upon payment of fees. 1211

(G) A person is complicit under section 2923.03 of the 1212
Revised Code if the person sells a catalytic converter to 1213
another person who, in the purchase or receipt of the catalytic 1214
converter, violates any of the following: 1215

(1) Division (F)(1) of section 4737.04 of the Revised 1216
Code; 1217

(2) Division (B) of section 4737.041 of the Revised Code 1218
when the violation involves a failure to obtain identifying 1219
information of the seller of a catalytic converter or proof of 1220
ownership of a catalytic converter; 1221

(3) Division (A) or (B) of section 4737.25 of the Revised 1222
Code. 1223

(H) If a transaction involving the purchase or sale of a 1224
used catalytic converter formed the basis of an offense under 1225
division (C) or (E) of this section, the clerk of the court 1226
shall pay any fine imposed to the county, township, municipal 1227
corporation, park district, as created pursuant to section 1228
511.18 or 1545.04 of the Revised Code, or state law enforcement 1229
agencies in this state that primarily were responsible for, or 1230
involved in, arresting and prosecuting, the offender. 1231

Sec. 4738.03. (A) No person licensed as a motor vehicle 1232
salvage dealer under this chapter shall ~~engage~~ do either of the 1233
following: 1234

(1) Engage in the business of selling at retail salvage 1235
motor vehicle parts or salvage motor vehicles, unless the 1236
business is operated primarily for the purpose of selling at 1237
retail salvage motor vehicle parts. Any person operating such a 1238

business primarily for the purpose of selling at retail salvage 1239
motor vehicle parts may secondarily sell at retail salvage motor 1240
vehicles or manufacture a product of gradable scrap metal for 1241
sale to scrap metal processors or any other consumer. 1242

(2) Purchase or accept individual motor vehicle parts, 1243
such as a catalytic converter as defined in section 4737.04 of 1244
the Revised Code. 1245

(B) No person licensed as a salvage motor vehicle auction 1246
under this chapter shall: 1247

(1) Knowingly sell a salvage motor vehicle to anyone other 1248
than an authorized purchaser; 1249

(2) Sell a salvage motor vehicle when having reasonable 1250
cause to believe it is not offered by the legal owner thereof; 1251

(3) Fail to make an Ohio salvage certificate of title 1252
available to the purchaser of a salvage motor vehicle sold by 1253
the salvage motor vehicle auction, before payment for the 1254
salvage motor vehicle is completed; 1255

(4) Operate as a motor vehicle salvage dealer at the same 1256
location where any salvage motor vehicle auction is operated. 1257

(C) No person licensed as a salvage motor vehicle pool 1258
under this chapter shall: 1259

(1) Knowingly sell a salvage motor vehicle to anyone other 1260
than an authorized purchaser; 1261

(2) Sell a salvage motor vehicle when having reasonable 1262
cause to believe it is not offered by the legal owner thereof; 1263

(3) Fail to make an Ohio salvage certificate of title 1264
available to the purchaser of a salvage motor vehicle sold by 1265

the salvage motor vehicle pool, before payment for the salvage 1266
motor vehicle is completed; 1267

(4) Operate as a motor vehicle salvage dealer at the same 1268
location where any salvage motor vehicle pool is operated. 1269

Sec. 4738.07. (A) Except as otherwise provided in division 1270
(B) of this section, the registrar of motor vehicles shall deny 1271
the application of any person for a license under this chapter 1272
and refuse to issue the person a license if the registrar finds 1273
that the applicant: 1274

(1) Has made false statement of a material fact in the 1275
individual's application; 1276

(2) Has not complied with sections 4738.01 to 4738.15 of 1277
the Revised Code: 1278

(3) Has habitually defaulted on financial obligations; 1279

(4) Has been convicted of or pleaded guilty to a 1280
disqualifying offense, provided the registrar complies with 1281
section 9.79 of the Revised Code; 1282

(5) Has been guilty of a fraudulent act in connection with 1283
dealing in salvage motor vehicles or when operating as a motor 1284
vehicle salvage dealer, salvage motor vehicle auction, or 1285
salvage motor vehicle pool; 1286

(6) Is insolvent; 1287

(7) Is of insufficient responsibility to assure the prompt 1288
payment of any final judgments which might reasonably be entered 1289
against the individual because of the transaction of the 1290
individual's business during the period of the license applied 1291
for; 1292

(8) Has no established place of business; ~~or~~ 1293

(9) Has less than twelve months prior to said application, 1294
been denied a license under this chapter; or 1295

(10) Was convicted of or pleaded guilty to a violation of 1296
division (B) of section 4737.041 of the Revised Code, a 1297
violation of section 2923.03 of the Revised Code when division 1298
(G) of section 4737.99 of the Revised Code applies, a violation 1299
of section 2913.02 of the Revised Code when the person is 1300
sentenced pursuant to division (B)(10) of that section, or a 1301
violation of section 2913.51 of the Revised Code when the person 1302
is sentenced pursuant to division (F) of that section. 1303

~~(B) In~~ (B)(1) Except as provided in division (B)(2) of 1304
this section, in considering a renewal of an individual's 1305
license, the registrar shall not consider any conviction or plea 1306
of guilty prior to the initial licensing. However, the registrar 1307
may consider a conviction or plea of guilty if it occurred after 1308
the individual was initially licensed, or after the most recent 1309
license renewal. 1310

(2) The registrar shall not renew an individual's license 1311
if the individual was convicted of or pleaded guilty to a 1312
violation of division (B) of section 4737.041 of the Revised 1313
Code, a violation of section 2923.03 of the Revised Code when 1314
division (G) of section 4737.99 of the Revised Code applies, a 1315
violation of section 2913.02 of the Revised Code when the person 1316
is sentenced pursuant to division (B)(10) of that section, or a 1317
violation of section 2913.51 of the Revised Code when the person 1318
is sentenced pursuant to division (F) of that section. 1319

(C) The registrar may grant a person a conditional license 1320
that lasts for one year. After the one-year period has expired, 1321

the license is no longer considered conditional, and the person 1322
shall be considered fully licensed. 1323

(D) If the applicant is a corporation or partnership, the 1324
registrar may refuse to issue a license if any officer, 1325
director, or partner of the applicant has been guilty of any 1326
disqualifying offense and the refusal is in accordance with 1327
section 9.79 of the Revised Code. The registrar's finding may be 1328
based upon facts contained in the application or upon any other 1329
information which the registrar may have. Immediately upon 1330
denying an application for any of the reasons in this section, 1331
the registrar shall enter a final order together with the 1332
registrar's findings and certify the same to the motor vehicle 1333
salvage dealer's licensing board. 1334

(E) If the registrar refuses an application for a license, 1335
the reasons for such refusal shall be put in writing. An 1336
applicant who has been refused a license may appeal from the 1337
action of the registrar to the motor vehicle salvage dealer's 1338
licensing board in the manner prescribed in section 4738.12 of 1339
the Revised Code. 1340

(F) The registrar of motor vehicles shall not adopt, 1341
maintain, renew, or enforce any rule, or otherwise preclude in 1342
any way, an individual from renewing a license under this 1343
chapter due to any past criminal activity or interpretation of 1344
moral character, except as pursuant to division (B) of this 1345
section. If the registrar denies an individual a license or 1346
license renewal, the reasons for such denial shall be put in 1347
writing. 1348

Sec. 4738.12. The motor vehicle salvage dealer's licensing 1349
board shall hear appeals which may be taken from an order of the 1350
registrar of motor vehicles, refusing to issue a license. All 1351

appeals from any order of the registrar refusing to issue any 1352
license upon proper application made must be taken within thirty 1353
days from the date of the order, or the order is final and 1354
conclusive. All appeals from orders of the registrar must be by 1355
petition in writing and verified under oath by the applicant 1356
whose application for license has been denied, and must set 1357
forth the reason why, in the petitioner's opinion, the order of 1358
the registrar is not correct. In appeals the board may make 1359
investigation to determine the correctness and legality of the 1360
order of the registrar. 1361

The board may make rules governing its actions relative to 1362
the suspension and revocation of licenses and may, upon its own 1363
motion, and shall, upon the verified complaint in writing of any 1364
person, investigate the conduct of any licensee under this 1365
chapter. The board shall suspend or revoke or notify the 1366
registrar to refuse to renew any license if any ground existed 1367
upon which the license would have been refused, or if a ground 1368
exists which would be cause for refusal to issue a license. 1369

The board may suspend or revoke any license if the 1370
licensee has in any manner violated the rules issued pursuant to 1371
sections 4738.01 to 4738.16 of the Revised Code, or has been 1372
convicted of committing a felony or violating any law which in 1373
any way relates to the theft of motor vehicles. 1374

The board shall revoke any license if the licensee is 1375
convicted of or pleads guilty to a violation of division (B) of 1376
section 4737.041 of the Revised Code, a violation of section 1377
2923.03 of the Revised Code when division (G) of section 4737.99 1378
of the Revised Code applies, a violation of section 2913.02 of 1379
the Revised Code when the licensee is sentenced pursuant to 1380
division (B)(10) of that section, or a violation of section 1381

2913.51 of the Revised Code when the licensee is sentenced 1382
pursuant to division (F) of that section. 1383

Sec. 4745.01. (A) "Standard renewal procedure," as used in 1384
Chapters 905., 907., 909., 911., 913., 915., 918., 921., 923., 1385
927., 942., 943., 953., 1321., 3710., 3713., 3719., 3742., 1386
3748., 3769., 3783., 3921., 3951., 4104., 4105., 4169., 4561., 1387
4703., 4707., 4709., 4713., 4715., 4717., 4723., 4725., 4727., 1388
4728., 4729., 4731., 4733., 4734., 4737., 4739., 4741., 4747., 1389
4749., 4752., 4753., 4755., 4757., 4758., 4759., 4761., 4766., 1390
4773., and 4775. of the Revised Code, means the license renewal 1391
procedures specified in this chapter. 1392

(B) "Licensing agency," as used in this chapter, means any 1393
department, division, board, section of a board, or other state 1394
governmental unit subject to the standard renewal procedure, as 1395
defined in this section, and authorized by the Revised Code to 1396
issue a license to engage in a specific profession, occupation, 1397
or occupational activity, or to have charge of and operate 1398
certain specified equipment, machinery, or premises. 1399

(C) "License," as used in this chapter, means a license, 1400
certificate, permit, card, or other authority issued or 1401
conferred by a licensing agency by authority of which the 1402
licensee has or claims the privilege to engage in the 1403
profession, occupation, or occupational activity, or to have 1404
control of and operate certain specific equipment, machinery, or 1405
premises, over which the licensing agency has jurisdiction. 1406

(D) "Licensee," as used in this chapter, means either the 1407
person to whom the license is issued or renewed by a licensing 1408
agency, or the person, partnership, or corporation at whose 1409
request the license is issued or renewed. 1410

(E) "Renewal" and "renewed," as used in this chapter and 1411
in the chapters of the Revised Code specified in division (A) of 1412
this section, includes the continuing licensing procedure 1413
provided in Chapter 3748. of the Revised Code and rules adopted 1414
under it and in sections 1321.05 and 3921.33 of the Revised 1415
Code, and as applied to those continuing licenses any reference 1416
in this chapter to the date of expiration of any license shall 1417
be construed to mean the due date of the annual or other fee for 1418
the continuing license. 1419

Sec. 4775.09. (A) (1) In accordance with Chapter 119. of 1420
the Revised Code, the motor vehicle repair board may refuse to 1421
issue or renew a registration certificate or may determine 1422
whether to waive a suspension of a registration certificate as 1423
provided in division (D) of section 4775.07 of the Revised Code. 1424

(2) Within ten days after receipt of an abstract from a 1425
county court judge, mayor of a mayor's court, or clerk of a 1426
court of record indicating a violation of division (D) of 1427
section 4513.241 of the Revised Code, the board shall determine 1428
whether the person named in the abstract is registered with the 1429
board and, if the person is so registered, shall further 1430
determine whether the person previously has been convicted of or 1431
pleaded guilty to a violation of that section. If the person 1432
previously has been convicted of or pleaded guilty to a 1433
violation of that section, the board, in accordance with Chapter 1434
119. of the Revised Code but without a prior hearing, shall 1435
suspend the person's registration for a period of not more than 1436
one hundred eighty days. 1437

(B) The court of common pleas of Franklin county has 1438
exclusive jurisdiction over any person who conducts, or attempts 1439
to conduct, business as a motor vehicle repair operator in 1440

violation of this chapter or any rule adopted under this 1441
chapter. The court, on application of the board, may issue an 1442
injunction, a cease and desist order, or other appropriate order 1443
restraining the person from continuing the violation. This 1444
section shall operate in addition to and shall not prohibit the 1445
enforcement of any other law. 1446

(C) Upon the request of the executive director or as a 1447
result of complaints, the board shall investigate the alleged 1448
violation. 1449

(D) No person required to be registered under this chapter 1450
shall have the benefit of any lien for labor or materials unless 1451
the person is registered under this chapter. 1452

(E) No person whose application for registration under 1453
this chapter is denied shall open or operate a facility for 1454
business as a motor vehicle collision repair facility or motor 1455
vehicle window tint installation facility under the name of the 1456
person designated in the application for a registration 1457
certificate or under any other name prior to registering as a 1458
motor vehicle repair operator in accordance with this chapter. 1459

(F) (1) The board shall not issue a registration to or 1460
renew the registration of a person who was convicted of or 1461
pleaded guilty to a violation of division (B) of section 1462
4737.041 of the Revised Code, a violation of section 2923.03 of 1463
the Revised Code when division (G) of section 4737.99 of the 1464
Revised Code applies, a violation of section 2913.02 of the 1465
Revised Code when the person is sentenced pursuant to division 1466
(B) (10) of that section, or a violation of section 2913.51 of 1467
the Revised Code when the person is sentenced pursuant to 1468
division (F) of that section. 1469

(2) The board shall revoke the registration of a person 1470
who is convicted of or pleads guilty to a violation of division 1471
(B) of section 4737.041 of the Revised Code, a violation of 1472
section 2923.03 of the Revised Code when division (G) of section 1473
4737.99 of the Revised Code applies, a violation of section 1474
2913.02 of the Revised Code when the person is sentenced 1475
pursuant to division (B)(10) of that section, or a violation of 1476
section 2913.51 of the Revised Code when the person is sentenced 1477
pursuant to division (F) of that section. 1478

Section 2. That existing sections 2913.02, 2913.51, 1479
4737.012, 4737.04, 4737.041, 4737.045, 4737.99, 4738.03, 1480
4738.07, 4738.12, 4745.01, and 4775.09 of the Revised Code are 1481
hereby repealed. 1482

Section 3. All items in this act are hereby appropriated 1483
as designated out of any moneys in the state treasury to the 1484
credit of the designated fund. For all operating appropriations 1485
made in this act, those in the first column are for fiscal year 1486
2024 and those in the second column are for fiscal year 2025. 1487
The operating appropriations made in this act are in addition to 1488
any other operating appropriations made for these fiscal years. 1489

Section 4. 1490

1491

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A	AGO ATTORNEY GENERAL
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B	General Revenue Fund
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C	GRF	055451	Catalytic Converter Theft	\$1,500,000	\$1,000,000
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Task Force

D	TOTAL GRF General Revenue Fund	\$1,500,000	\$1,000,000
E	TOTAL ALL BUDGET FUND GROUPS	\$1,500,000	\$1,000,000

CATALYTIC CONVERTER THEFT TASK FORCE 1492

The foregoing appropriation item 055451, Catalytic 1493
Converter Theft Task Force, shall be used by the Organized Crime 1494
Investigations Commission to support the operations of any 1495
catalytic converter theft task forces established by the 1496
Commission pursuant to section 177.02 of the Revised Code. 1497

Section 5. Within the limits set forth in this act, the 1498
Director of Budget and Management shall establish accounts 1499
indicating the source and amount of funds for each appropriation 1500
made in this act, and shall determine the manner in which 1501
appropriation accounts shall be maintained. Expenditures from 1502
operating appropriations contained in this act shall be 1503
accounted for as though made in, and are subject to all 1504
applicable provisions of, H.B 33 of the 135th General Assembly. 1505