

As Passed by the Senate

124th General Assembly

Regular Session

2001-2002

Sub. S. B. No. 258

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A B I L L

To amend section 149.43 and to enact sections 109.578,
505.381, 737.081, 737.221, and 4765.301 of the
Revised Code to permit background checks on
firefighters and EMT's and to exempt from the
Public Records Law specified residential and
familial information of a member of a fire
department.

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

Section 1. That section 149.43 be amended and sections
109.578, 505.381, 737.081, 737.221, and 4765.301 of the Revised
Code be enacted to read as follows:

Sec. 109.578. (A) On receipt of a request pursuant to section
505.381, 737.081, 737.221, or 4765.301 of the Revised Code, a
completed form prescribed pursuant to division (C)(1) of this
section, and a set of fingerprint impressions obtained in the
manner described in division (C)(2) of this section, the
superintendent of the bureau of criminal identification and
investigation shall conduct a criminal records check in the manner
described in division (B) of this section to determine whether any

information exists that indicates that the person who is the
subject of the request previously has been convicted of or pleaded
guilty to any of the following:

(1) A felony;

(2) A violation of section 2909.03 of the Revised Code;

(3) A violation of an existing or former law of this state,
any other state, or the United States that is substantially
equivalent to any of the offenses listed in division (A)(1) or (2)
of this section.

(B) The superintendent shall conduct any criminal records
check pursuant to division (A) of this section as follows:

(1) The superintendent shall review or cause to be reviewed
any relevant information gathered and compiled by the bureau under
division (A) of section 109.57 of the Revised Code that relates to
the person who is the subject of the request, including any
relevant information contained in records that have been sealed
under section 2953.32 of the Revised Code.

(2) If the request received by the superintendent asks for
information from the federal bureau of investigation, the
superintendent shall request from the federal bureau of
investigation any information it has with respect to the person
who is the subject of the request and shall review or cause to be
reviewed any information the superintendent receives from that
bureau.

(C)(1) The superintendent shall prescribe a form to obtain
the information necessary to conduct a criminal records check from
any person for whom a criminal records check is requested pursuant
to section 505.381, 737.081, 737.221, or 4765.301 of the Revised
Code. The form that the superintendent prescribes pursuant to this
division may be in a tangible format, in an electronic format, or
in both tangible and electronic formats.

(2) The superintendent shall prescribe standard impression sheets to obtain the fingerprint impressions of any person for whom a criminal records check is requested pursuant to section 505.381, 737.081, 737.221, or 4765.301 of the Revised Code. Any person for whom a records check is requested pursuant to any of those sections shall obtain the fingerprint impressions at a county sheriff's office, a municipal police department, or any other entity with the ability to make fingerprint impressions on the standard impression sheets prescribed by the superintendent. The office, department, or entity may charge the person a reasonable fee for making the impressions. The standard impression sheets the superintendent prescribes pursuant to this division may be in a tangible format, in an electronic format, or in both tangible and electronic formats.

(3) Subject to division (D) of this section, the superintendent shall prescribe and charge a reasonable fee for providing a criminal records check requested under section 505.381, 737.081, 737.221, or 4765.301 of the Revised Code. The person making the criminal records request shall pay the fee prescribed pursuant to this division.

(4) The superintendent may prescribe methods of forwarding fingerprint impressions and information necessary to conduct a criminal records check. The methods shall include, but are not limited to, an electronic method.

(D) A determination whether any information exists that indicates that a person previously has been convicted of or pleaded guilty to any offense listed or described in division (A) of this section and that the superintendent made with respect to information considered in a criminal records check in accordance with this section is valid for the person who is the subject of the criminal records check for a period of one year from the date upon which the superintendent makes the determination. During the

period in which the determination in regard to a person is valid,
if another request under this section is made for a criminal
records check for that person, the superintendent shall provide
the information that is the basis for the superintendent's initial
determination at a lower fee than the fee prescribed for the
initial criminal records check.

(E) As used in this section, "criminal records check" means
any criminal records check conducted by the superintendent of the
bureau of criminal identification and investigation in accordance
with division (B) of this section.

Sec. 149.43. (A) As used in this section:

(1) "Public record" means records kept by any public office,
including, but not limited to, state, county, city, village,
township, and school district units, and records pertaining to the
delivery of educational services by an alternative school in Ohio
kept by a nonprofit or for profit entity operating such
alternative school pursuant to section 3313.533 of the Revised
Code. "Public record" does not mean any of the following:

(a) Medical records;

(b) Records pertaining to probation and parole proceedings;

(c) Records pertaining to actions under section 2151.85 and
division (C) of section 2919.121 of the Revised Code and to
appeals of actions arising under those sections;

(d) Records pertaining to adoption proceedings, including the
contents of an adoption file maintained by the department of
health under section 3705.12 of the Revised Code;

(e) Information in a record contained in the putative father
registry established by section 3107.062 of the Revised Code,
regardless of whether the information is held by the department of

job and family services or, pursuant to section 3111.69 of the
Revised Code, the office of child support in the department or a
child support enforcement agency;

(f) Records listed in division (A) of section 3107.42 of the
Revised Code or specified in division (A) of section 3107.52 of
the Revised Code;

(g) Trial preparation records;

(h) Confidential law enforcement investigatory records;

(i) Records containing information that is confidential under
section 2317.023 or 4112.05 of the Revised Code;

(j) DNA records stored in the DNA database pursuant to
section 109.573 of the Revised Code;

(k) Inmate records released by the department of
rehabilitation and correction to the department of youth services
or a court of record pursuant to division (E) of section 5120.21
of the Revised Code;

(l) Records maintained by the department of youth services
pertaining to children in its custody released by the department
of youth services to the department of rehabilitation and
correction pursuant to section 5139.05 of the Revised Code;

(m) Intellectual property records;

(n) Donor profile records;

(o) Records maintained by the department of job and family
services pursuant to section 3121.894 of the Revised Code;

(p) Peace officer, firefighter, or EMT residential and
familial information;

(q) In the case of a county hospital operated pursuant to
Chapter 339. of the Revised Code, information that constitutes a
trade secret, as defined in section 1333.61 of the Revised Code;

(r) Information pertaining to the recreational activities of 141
a person under the age of eighteen; 142

(s) Records provided to, statements made by review board 143
members during meetings of, and all work products of a child 144
fatality review board acting under sections 307.621 to 307.629 of 145
the Revised Code, other than the report prepared pursuant to 146
section 307.626 of the Revised Code; 147

(t) Records provided to and statements made by the executive 148
director of a public children services agency or a prosecuting 149
attorney acting pursuant to section 5153.171 of the Revised Code 150
other than the information released under that section; 151

(u) Test materials, examinations, or evaluation tools used in 152
an examination for licensure as a nursing home administrator that 153
the board of examiners of nursing home administrators administers 154
under section 4751.04 of the Revised Code or contracts under that 155
section with a private or government entity to administer; 156
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(v) Records the release of which is prohibited by state or 158
federal law. 159

(2) "Confidential law enforcement investigatory record" means 160
any record that pertains to a law enforcement matter of a 161
criminal, quasi-criminal, civil, or administrative nature, but 162
only to the extent that the release of the record would create a 163
high probability of disclosure of any of the following: 164

(a) The identity of a suspect who has not been charged with 165
the offense to which the record pertains, or of an information 166
source or witness to whom confidentiality has been reasonably 167
promised; 168

(b) Information provided by an information source or witness 169
to whom confidentiality has been reasonably promised, which 170
information would reasonably tend to disclose the source's or 171

witness's identity; 172

(c) Specific confidential investigatory techniques or 173
procedures or specific investigatory work product; 174

(d) Information that would endanger the life or physical 175
safety of law enforcement personnel, a crime victim, a witness, or 176
a confidential information source. 177

(3) "Medical record" means any document or combination of 178
documents, except births, deaths, and the fact of admission to or 179
discharge from a hospital, that pertains to the medical history, 180
diagnosis, prognosis, or medical condition of a patient and that 181
is generated and maintained in the process of medical treatment. 182

(4) "Trial preparation record" means any record that contains 183
information that is specifically compiled in reasonable 184
anticipation of, or in defense of, a civil or criminal action or 185
proceeding, including the independent thought processes and 186
personal trial preparation of an attorney. 187

(5) "Intellectual property record" means a record, other than 188
a financial or administrative record, that is produced or 189
collected by or for faculty or staff of a state institution of 190
higher learning in the conduct of or as a result of study or 191
research on an educational, commercial, scientific, artistic, 192
technical, or scholarly issue, regardless of whether the study or 193
research was sponsored by the institution alone or in conjunction 194
with a governmental body or private concern, and that has not been 195
publicly released, published, or patented. 196

(6) "Donor profile record" means all records about donors or 197
potential donors to a public institution of higher education 198
except the names and reported addresses of the actual donors and 199
the date, amount, and conditions of the actual donation. 200

(7) "Peace officer, firefighter, or EMT residential and 201
familial information" means either of the following: 202

(a) Any information maintained in a personnel record of a peace officer, firefighter, or EMT that discloses any of the following:

(i) The address of the actual personal residence of a peace officer, firefighter, or EMT, except for the state or political subdivision in which the peace officer, firefighter, or EMT resides;

(ii) Information compiled from referral to or participation in an employee assistance program;

(iii) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a peace officer, firefighter, or EMT;

(iv) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a peace officer, firefighter, or EMT by the peace officer's, firefighter's, or EMT's employer;

(v) The identity and amount of any charitable or employment benefit deduction made by the peace officer's, firefighter's, or EMT's employer from the peace officer's, firefighter's, or EMT's compensation unless the amount of the deduction is required by state or federal law;

(vi) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a peace officer, firefighter, or EMT.

(b) Any record that identifies a person's occupation as a peace officer, firefighter, or EMT other than statements required to include the disclosure of that fact under the campaign finance

law. 234

As used in divisions (A)(7) and (B)(5) of this section, 235
"peace officer" has the same meaning as in section 109.71 of the 236
Revised Code and also includes the superintendent and troopers of 237
the state highway patrol; it does not include the sheriff of a 238
county or a supervisory employee who, in the absence of the 239
sheriff, is authorized to stand in for, exercise the authority of, 240
and perform the duties of the sheriff. 241

As used in divisions (A)(7) and (B)(5) of this section, 242
"firefighter" means any regular, paid or volunteer, member of a 243
lawfully constituted fire department of a municipal corporation, 244
township, fire district, or village. 245

As used in divisions (A)(7) and (B)(5) of this section, "EMT" 246
means EMTs-basic, EMTs-I, and paramedics that provide emergency 247
medical services for a public emergency medical service 248
organization. "Emergency medical service organization," 249
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as in 250
section 4765.01 of the Revised Code. 251

(8) "Information pertaining to the recreational activities of 252
a person under the age of eighteen" means information that is kept 253
in the ordinary course of business by a public office, that 254
pertains to the recreational activities of a person under the age 255
of eighteen years, and that discloses any of the following: 256

(a) The address or telephone number of a person under the age 257
of eighteen or the address or telephone number of that person's 258
parent, guardian, custodian, or emergency contact person; 259

(b) The social security number, birth date, or photographic 260
image of a person under the age of eighteen; 261

(c) Any medical record, history, or information pertaining to 262
a person under the age of eighteen; 263

(d) Any additional information sought or required about a 264

person under the age of eighteen for the purpose of allowing that
person to participate in any recreational activity conducted or
sponsored by a public office or to use or obtain admission
privileges to any recreational facility owned or operated by a
public office.

(B)(1) Subject to division (B)(4) of this section, all public
records shall be promptly prepared and made available for
inspection to any person at all reasonable times during regular
business hours. Subject to division (B)(4) of this section, upon
request, a public office or person responsible for public records
shall make copies available at cost, within a reasonable period of
time. In order to facilitate broader access to public records,
public offices shall maintain public records in a manner that they
can be made available for inspection in accordance with this
division.

(2) If any person chooses to obtain a copy of a public record
in accordance with division (B)(1) of this section, the public
office or person responsible for the public record shall permit
that person to choose to have the public record duplicated upon
paper, upon the same medium upon which the public office or person
responsible for the public record keeps it, or upon any other
medium upon which the public office or person responsible for the
public record determines that it reasonably can be duplicated as
an integral part of the normal operations of the public office or
person responsible for the public record. When the person seeking
the copy makes a choice under this division, the public office or
person responsible for the public record shall provide a copy of
it in accordance with the choice made by the person seeking the
copy.

(3) Upon a request made in accordance with division (B)(1) of
this section, a public office or person responsible for public
records shall transmit a copy of a public record to any person by

United States mail within a reasonable period of time after 297
receiving the request for the copy. The public office or person 298
responsible for the public record may require the person making 299
the request to pay in advance the cost of postage and other 300
supplies used in the mailing. 301

Any public office may adopt a policy and procedures that it 302
will follow in transmitting, within a reasonable period of time 303
after receiving a request, copies of public records by United 304
States mail pursuant to this division. A public office that adopts 305
a policy and procedures under this division shall comply with them 306
in performing its duties under this division. 307

In any policy and procedures adopted under this division, a 308
public office may limit the number of records requested by a 309
person that the office will transmit by United States mail to ten 310
per month, unless the person certifies to the office in writing 311
that the person does not intend to use or forward the requested 312
records, or the information contained in them, for commercial 313
purposes. For purposes of this division, "commercial" shall be 314
narrowly construed and does not include reporting or gathering 315
news, reporting or gathering information to assist citizen 316
oversight or understanding of the operation or activities of 317
government, or nonprofit educational research. 318

(4) A public office or person responsible for public records 319
is not required to permit a person who is incarcerated pursuant to 320
a criminal conviction or a juvenile adjudication to inspect or to 321
obtain a copy of any public record concerning a criminal 322
investigation or prosecution or concerning what would be a 323
criminal investigation or prosecution if the subject of the 324
investigation or prosecution were an adult, unless the request to 325
inspect or to obtain a copy of the record is for the purpose of 326
acquiring information that is subject to release as a public 327
record under this section and the judge who imposed the sentence 328

or made the adjudication with respect to the person, or the
judge's successor in office, finds that the information sought in
the public record is necessary to support what appears to be a
justiciable claim of the person.

(5) Upon written request made and signed by a journalist on
or after December 16, 1999, a public office, or person responsible
for public records, having custody of the records of the agency
employing a specified peace officer, firefighter, or EMT shall
disclose to the journalist the address of the actual personal
residence of the peace officer, firefighter or EMT and, if the
peace officer's, firefighter's or EMT's spouse, former spouse, or
child is employed by a public office, the name and address of the
employer of the peace officer's, firefighter's, or EMT's spouse,
former spouse, or child. The request shall include the
journalist's name and title and the name and address of the
journalist's employer and shall state that disclosure of the
information sought would be in the public interest.

As used in division (B)(5) of this section, "journalist"
means a person engaged in, connected with, or employed by any news
medium, including a newspaper, magazine, press association, news
agency, or wire service, a radio or television station, or a
similar medium, for the purpose of gathering, processing,
transmitting, compiling, editing, or disseminating information for
the general public.

(C) If a person allegedly is aggrieved by the failure of a
public office to promptly prepare a public record and to make it
available to the person for inspection in accordance with division
(B) of this section, or if a person who has requested a copy of a
public record allegedly is aggrieved by the failure of a public
office or the person responsible for the public record to make a
copy available to the person allegedly aggrieved in accordance
with division (B) of this section, the person allegedly aggrieved

may commence a mandamus action to obtain a judgment that orders
the public office or the person responsible for the public record
to comply with division (B) of this section and that awards
reasonable attorney's fees to the person that instituted the
mandamus action. The mandamus action may be commenced in the court
of common pleas of the county in which division (B) of this
section allegedly was not complied with, in the supreme court
pursuant to its original jurisdiction under Section 2 of Article
IV, Ohio Constitution, or in the court of appeals for the
appellate district in which division (B) of this section allegedly
was not complied with pursuant to its original jurisdiction under
Section 3 of Article IV, Ohio Constitution.

(D) Chapter 1347. of the Revised Code does not limit the
provisions of this section.

(E)(1) The bureau of motor vehicles may adopt rules pursuant
to Chapter 119. of the Revised Code to reasonably limit the number
of bulk commercial special extraction requests made by a person
for the same records or for updated records during a calendar
year. The rules may include provisions for charges to be made for
bulk commercial special extraction requests for the actual cost of
the bureau, plus special extraction costs, plus ten per cent. The
bureau may charge for expenses for redacting information, the
release of which is prohibited by law.

(2) As used in divisions (B)(3) and (E)(1) of this section:

(a) "Actual cost" means the cost of depleted supplies,
records storage media costs, actual mailing and alternative
delivery costs, or other transmitting costs, and any direct
equipment operating and maintenance costs, including actual costs
paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a
request for copies of a record for information in a format other

than the format already available, or information that cannot be
extracted without examination of all items in a records series,
class of records, or data base by a person who intends to use or
forward the copies for surveys, marketing, solicitation, or resale
for commercial purposes. "Bulk commercial special extraction
request" does not include a request by a person who gives
assurance to the bureau that the person making the request does
not intend to use or forward the requested copies for surveys,
marketing, solicitation, or resale for commercial purposes.

(c) "Commercial" means profit-seeking production, buying, or
selling of any good, service, or other product.

(d) "Special extraction costs" means the cost of the time
spent by the lowest paid employee competent to perform the task,
the actual amount paid to outside private contractors employed by
the bureau, or the actual cost incurred to create computer
programs to make the special extraction. "Special extraction
costs" include any charges paid to a public agency for computer or
records services.

(3) For purposes of divisions (E)(1) and (2) of this section,
"commercial surveys, marketing, solicitation, or resale" shall be
narrowly construed and does not include reporting or gathering
news, reporting or gathering information to assist citizen
oversight or understanding of the operation or activities of
government, or nonprofit educational research.

Sec. 505.381. (A) The fire chief of a township or fire
district may request the superintendent of BCII to conduct a
criminal records check with respect to any person who is under
consideration for appointment or employment as a permanent,
full-time paid firefighter or any person who is under
consideration for appointment as a volunteer firefighter.

(B)(1) The fire chief of the township or fire district may

request that the superintendent of BCII obtain information from
the federal bureau of investigation as a part of the criminal
records check requested pursuant to division (A) of this section.

(2) A fire chief authorized by division (A) of this section
to request a criminal records check shall provide to each person
for whom the fire chief intends to request a criminal records
check a copy of the form prescribed pursuant to division (C)(1) of
section 109.578 of the Revised Code and a standard impression
sheet to obtain fingerprint impressions prescribed pursuant to
division (C)(2) of section 109.578 of the Revised Code, obtain the
completed form and impression sheet from the person, and forward
the completed form and impression sheet to the superintendent of
BCII at the time the criminal records check is requested.

(3) Any person subject to a criminal records check who
receives a copy of the form and a copy of the impression sheet
pursuant to division (B)(2) of this section and who is requested
to complete the form and provide a set of fingerprint impressions
shall complete the form or provide all the information necessary
to complete the form and shall provide the impression sheet with
the impressions of the person's fingerprints. If a person fails to
provide the information necessary to complete the form or fails to
provide impressions of the person's fingerprints, the appointing
authority shall not appoint or employ the person as a permanent,
full-time paid firefighter or a volunteer firefighter.

(C)(1) Except as otherwise provided in division (C)(2) of
this section, an appointing authority shall not appoint or employ
a person as a permanent, full-time paid firefighter or a volunteer
firefighter if the fire chief has requested a criminal records
check pursuant to division (A) of this section and the criminal
records check indicates that the person previously has been
convicted of or pleaded guilty to any of the following:

(a) A felony;

(b) A violation of section 2909.03 of the Revised Code; 455

(c) A violation of an existing or former law of this state, 456
any other state, or the United States that is substantially 457
equivalent to any of the offenses described in division (C)(1)(a) 458
or (b) of this section. 459

(2) Notwithstanding division (C)(1) of this section, an 460
appointing authority may appoint or employ a person as a permanent 461
full-time paid firefighter or a volunteer firefighter if all of 462
the following apply: 463

(a) The fire chief has requested a criminal records check 464
pursuant to division (A) of this section. 465

(b) The criminal records check indicates that the person 466
previously has been convicted of or pleaded guilty to any of the 467
offenses described in division (C)(1) of this section. 468

(c) The person meets rehabilitation standards established in 469
rules adopted under division (F) of this section. 470

(3) If a fire chief requests a criminal records check 471
pursuant to division (A) of this section, an appointing authority 472
may appoint or employ a person as a permanent, full-time paid 473
firefighter or volunteer firefighter conditionally until the 474
criminal records check is completed and the fire chief receives 475
the results. If the results of the criminal records check indicate 476
that, pursuant to division (C)(1) of this section, the person 477
subject to the criminal records check does not qualify for 478
appointment or employment, the fire chief shall release the person 479
from appointment or employment. 480

(D) The fire chief shall pay to the bureau of criminal 481
identification and investigation the fee prescribed pursuant to 482
division (C)(3) of section 109.578 of the Revised Code for each 483
criminal records check conducted in accordance with that section. 484
The fire chief may charge the applicant who is subject to the 485

criminal records check a fee for the costs the fire chief incurs
in obtaining the criminal records check. A fee charged under this
division shall not exceed the amount of fees the fire chief pays
for the criminal records check. If a fee is charged under this
division, the fire chief shall notify the applicant at the time of
the applicant's initial application for appointment or employment
of the amount of the fee and that, unless the fee is paid, the
applicant will not be considered for appointment or employment.

(E) The appointing authority shall adopt rules in accordance
with Chapter 119. of the Revised Code to implement this section.
The rules shall include rehabilitation standards a person who has
been convicted of or pleaded guilty to an offense listed in
division (C)(1) of this section must meet for the appointing
authority to appoint or employ the person as a permanent,
full-time paid firefighter or a volunteer firefighter.

(F) A fire chief who intends to request a criminal records
check for an applicant shall inform the applicant, at the time of
the person's initial application for appointment or employment,
that the applicant is required to provide a set of impressions of
the applicant's fingerprints and that the fire chief requires a
criminal records check to be conducted and satisfactorily
completed in accordance with section 109.578 of the Revised Code.

(G) As used in this section:

(1) "Appointing authority" means any person or body that has
the authority to hire, appoint, or employ permanent, full-time
paid firefighters and volunteer firefighters under section 505.39
of the Revised Code.

(2) "Criminal records check" has the same meaning as in
section 109.578 of the Revised Code.

(3) "Superintendent of BCII" has the same meaning as in

section 2151.86 of the Revised Code.

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Sec. 737.081. (A) The fire chief of a city fire department
may request the superintendent of BCII to conduct a criminal
records check with respect to any person who is under
consideration for appointment or employment as a full-time paid
firefighter or any person who is under consideration for
appointment as a volunteer firefighter.

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(B)(1) The fire chief of the city fire department may request
that the superintendent of BCII obtain information from the
federal bureau of investigation as a part of the criminal records
check requested pursuant to division (A) of this section.

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(2) A fire chief authorized by division (A) of this section
to request a criminal records check shall provide to each person
for whom the fire chief intends to request a criminal records
check a copy of the form prescribed pursuant to division (C)(1) of
section 109.578 of the Revised Code and a standard impression
sheet to obtain fingerprint impressions prescribed pursuant to
division (C)(2) of section 109.578 of the Revised Code, obtain the
completed form and impression sheet from the person, and forward
the completed form and impression sheet to the superintendent of
BCII at the time the criminal records check is requested.

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(3) Any person subject to a criminal records check who
receives a copy of the form and a copy of the impression sheet
pursuant to division (B)(2) of this section and who is requested
to complete the form and provide a set of fingerprint impressions
shall complete the form or provide all the information necessary
to complete the form and shall provide the impression sheet with
the impressions of the person's fingerprints. If a person fails to
provide the information necessary to complete the form or fails to
provide impressions of the person's fingerprints, the appointing
authority shall not appoint or employ the person as a permanent

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full-time paid firefighter or a volunteer firefighter.

(C)(1) Except as otherwise provided in division (C)(2) of this section, an appointing authority shall not appoint or employ a person as a permanent full-time paid firefighter or a volunteer firefighter if the fire chief has requested a criminal records check pursuant to division (A) of this section and the criminal records check indicates that the person previously has been convicted of or pleaded guilty to any of the following:

(a) A felony;

(b) A violation of section 2909.03 of the Revised Code;

(c) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses described in division (C)(1)(a) or (b) of this section.

(2) Notwithstanding division (C)(1) of this section, an appointing authority may appoint or employ a person as a permanent full-time paid firefighter or a volunteer firefighter if all of the following apply:

(a) The fire chief has requested a criminal records check pursuant to division (A) of this section.

(b) The criminal records check indicates that the person previously has been convicted of or pleaded guilty to any of the offenses described in division (C)(1) of this section.

(c) The person meets rehabilitation standards established in rules adopted under division (F) of this section.

(3) If a fire chief requests a criminal records check pursuant to division (A) of this section, an appointing authority may appoint or employ a person as a permanent full-time paid firefighter or volunteer firefighter conditionally until the criminal records check is completed and the fire chief receives

the results. If the results of the criminal records check indicate
that, pursuant to division (C)(1) of this section, the person
subject to the criminal records check is disqualified from
appointment or employment, the fire chief shall release the person
from appointment or employment.

(D) The fire chief shall pay to the bureau of criminal
identification and investigation the fee prescribed pursuant to
division (C)(3) of section 109.578 of the Revised Code for each
criminal records check conducted in accordance with that section.
The fire chief may charge the applicant who is subject to the
criminal records check a fee for the costs the fire chief incurs
in obtaining the criminal records check. A fee charged under this
division shall not exceed the amount of fees the fire chief pays
for the criminal records check. If a fee is charged under this
division, the fire chief shall notify the applicant at the time of
the applicant's initial application for appointment or employment
of the amount of the fee and that, unless the fee is paid, the
applicant will not be considered for appointment or employment.

(E) The appointing authority shall adopt rules in accordance
with Chapter 119. of the Revised Code to implement this section.
The rules shall include rehabilitation standards a person who has
been convicted of or pleaded guilty to an offense listed in
division (C)(1) of this section must meet for the appointing
authority to appoint or employ the person as a permanent full-time
paid firefighter or a volunteer firefighter.

(F) A fire chief who intends to request a criminal records
check for an applicant shall inform each applicant, at the time of
the person's initial application for appointment or employment,
that the applicant is required to provide a set of impressions of
the person's fingerprints and that the fire chief requires a
criminal records check to be conducted and satisfactorily
completed in accordance with section 109.578 of the Revised Code.

(G) As used in this section: 610

(1) "Appointing authority" means any person or body that has 611
the authority to hire, appoint, or employ permanent, full-time 612
paid firefighters and volunteer firefighters under section 737.08 613
of the Revised Code. 614

(2) "Criminal records check" has the same meaning as in 615
section 109.578 of the Revised Code. 616

(3) "Superintendent of BCII" has the same meaning as in 617
section 2151.86 of the Revised Code. 618

Sec. 737.221. (A) The fire chief of a village fire department 619
may request the superintendent of BCII to conduct a criminal 620
records check with respect to any person who is under 621
consideration for appointment or employment as a full-time paid 622
firefighter or any person who is under consideration for 623
appointment as a volunteer firefighter. 624

(B)(1) The fire chief of the village fire department may 625
request that the superintendent of BCII obtain information from 626
the federal bureau of investigation as a part of the criminal 627
records check requested pursuant to division (A) of this section. 628

(2) A fire chief authorized by division (A) of this section 629
to request a criminal records check shall provide to each person 630
for whom the fire chief intends to request a criminal records 631
check a copy of the form prescribed pursuant to division (C)(1) of 632
section 109.578 of the Revised Code and a standard impression 633
sheet to obtain fingerprint impressions prescribed pursuant to 634
division (C)(2) of section 109.578 of the Revised Code, obtain the 635
completed form and impression sheet from the person, and forward 636
the completed form and impression sheet to the superintendent of 637
BCII at the time the criminal records check is requested. 638

(3) Any person subject to a criminal records check who 639

receives a copy of the form and a copy of the impression sheet
pursuant to division (B)(2) of this section and who is requested
to complete the form and provide a set of fingerprint impressions
shall complete the form or provide all the information necessary
to complete the form and shall provide the impression sheet with
the impressions of the person's fingerprints. If a person fails to
provide the information necessary to complete the form or fails to
provide impressions of the person's fingerprints, the appointing
authority shall not appoint or employ the person as a permanent
full-time paid firefighter or a volunteer firefighter.

(C)(1) Except as otherwise provided in division (C)(2) of
this section, an appointing authority shall not appoint or employ
a person as a permanent full-time paid firefighter or a volunteer
firefighter if the fire chief has requested a criminal records
check pursuant to division (A) of this section and the criminal
records check indicates that the person previously has been
convicted of or pleaded guilty to any of the following:

(a) A felony;

(b) A violation of section 2909.03 of the Revised Code;

(c) A violation of an existing or former law of this state,
any other state, or the United States that is substantially
equivalent to any of the offenses described in division (C)(1)(a)
or (b) of this section.

(2) Notwithstanding division (C)(1) of this section, an
appointing authority may appoint or employ a person as a permanent
full-time paid firefighter or a volunteer firefighter if all of
the following apply:

(a) The fire chief has requested a criminal records check
pursuant to division (A) of this section.

(b) The criminal records check indicates that the person
previously has been convicted of or pleaded guilty to any of the

offenses described in division (C)(1) of this section.

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(c) The person meets rehabilitation standards established in
rules adopted under division (F) of this section.

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(3) If a fire chief requests a criminal records check
pursuant to division (A) of this section, an appointing authority
may appoint or employ a person as a permanent full-time paid
firefighter or volunteer firefighter conditionally until the
criminal records check is completed and the fire chief receives
the results. If the results of the criminal records check indicate
that, pursuant to division (C)(1) of this section, the person
subject to the criminal records check is disqualified from
appointment or employment, the fire chief shall release the person
from appointment or employment.

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(D) The fire chief shall pay to the bureau of criminal
identification and investigation the fee prescribed pursuant to
division (C)(3) of section 109.578 of the Revised Code for each
criminal records check conducted in accordance with that section.
The fire chief may charge the applicant who is subject to the
criminal records check a fee for the costs the fire chief incurs
in obtaining the criminal records check. A fee charged under this
division shall not exceed the amount of fees the fire chief pays
for the criminal records check. If a fee is charged under this
division, the fire chief shall notify the applicant at the time of
the applicant's initial application for appointment or employment
of the amount of the fee and that, unless the fee is paid, the
applicant will not be considered for appointment or employment.

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(E) The appointing authority shall adopt rules in accordance
with Chapter 119. of the Revised Code to implement this section.
The rules shall include rehabilitation standards a person who has
been convicted of or pleaded guilty to an offense listed in
division (C)(1) of this section must meet for the appointing
authority to appoint or employ the person as a permanent full-time

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paid firefighter or a volunteer firefighter.

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(F) A fire chief who intends to request a criminal records
check for an applicant shall inform each applicant, at the time of
the person's initial application for appointment or employment,
that the applicant is required to provide a set of impressions of
the person's fingerprints and that the fire chief requires a
criminal records check to be conducted and satisfactorily
completed in accordance with section 109.578 of the Revised Code.

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(G) As used in this section:

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(1) "Appointing authority" means any person or body that has
the authority to hire, appoint, or employ permanent, full-time
paid firefighters and volunteer firefighters under section 737.22
of the Revised Code.

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(2) "Criminal records check" has the same meaning as in
section 109.578 of the Revised Code.

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(3) "Superintendent of BCII" has the same meaning as in
section 2151.86 of the Revised Code.

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Sec. 4765.301. (A) An appointing authority may request the
superintendent of BCII to conduct a criminal records check with
respect to any person who is under consideration for appointment
or employment as an emergency medical technician-basic, an
emergency medical technician-intermediate, or an emergency medical
technician-paramedic.

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(B)(1) The appointing authority may request that the
superintendent of BCII obtain information from the federal bureau
of investigation as a part of the criminal records check requested
pursuant to division (A) of this section.

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(2) An appointing authority authorized by division (A) of
this section to request a criminal records check shall provide to
each person for whom the appointing authority intends to request a

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criminal records check a copy of the form prescribed pursuant to
division (C)(1) of section 109.578 of the Revised Code and a
standard impression sheet to obtain fingerprint impressions
prescribed pursuant to division (C)(2) of section 109.578 of the
Revised Code, obtain the completed form and impression sheet from
the person, and forward the completed form and impression sheet to
the superintendent of BCII at the time the criminal records check
is requested.

(3) Any person subject to a criminal records check who
receives a copy of the form and a copy of the impression sheet
pursuant to division (B)(2) of this section and who is requested
to complete the form and provide a set of fingerprint impressions
shall complete the form or provide all the information necessary
to complete the form and shall provide the impression sheet with
the impressions of the person's fingerprints. If a person fails to
provide the information necessary to complete the form or fails to
provide impressions of the person's fingerprints, the appointing
authority shall not appoint or employ the person as an emergency
medical technician-basic, an emergency medical
technician-intermediate, or an emergency medical
technician-paramedic.

(C)(1) Except as otherwise provided in division (C)(2) of
this section, an appointing authority shall not appoint or employ
a person as an emergency medical technician-basic, an emergency
medical technician-intermediate, or an emergency medical
technician-paramedic if the appointing authority has requested a
criminal records check pursuant to division (A) of this section
and the criminal records check indicates that the person
previously has been convicted of or pleaded guilty to any of the
following:

(a) A felony;

(b) A violation of section 2909.03 of the Revised Code;

(c) A violation of an existing or former law of this state, 765
any other state, or the United States that is substantially 766
equivalent to any of the offenses described in division (C)(1)(a) 767
or (b) of this section. 768

(2) Notwithstanding division (C)(1) of this section, an 769
appointing authority may appoint or employ a person as an 770
emergency medical technician-basic, an emergency medical 771
technician-intermediate, or an emergency medical 772
technician-paramedic if all of the following apply: 773

(a) The appointing authority has requested a criminal records 774
check pursuant to division (A) of this section. 775

(b) The criminal records check indicates that the person 776
previously has been convicted of or pleaded guilty to any of the 777
offenses described in division (C)(1) of this section. 778

(c) The person meets rehabilitation standards established in 779
rules adopted under division (F) of this section. 780

(3) If an appointing authority requests a criminal records 781
check pursuant to division (A) of this section, the appointing 782
authority may appoint or employ a person as an emergency medical 783
technician-basic, an emergency medical technician-intermediate, or 784
an emergency medical technician-paramedic conditionally until the 785
criminal records check is completed and the appointing authority 786
receives the results. If the results of the criminal records check 787
indicate that, pursuant to division (C)(1) of this section, the 788
person subject to the criminal records check is disqualified from 789
appointment or employment, the appointing authority shall release 790
the person from appointment or employment. 791

(D) The appointing authority shall pay to the bureau of 792
criminal identification and investigation the fee prescribed 793
pursuant to division (C)(3) of section 109.578 of the Revised Code 794
for each criminal records check conducted in accordance with that 795

section. The appointing authority may charge the applicant who is
subject to the criminal records check a fee for the costs the
appointing authority incurs in obtaining the criminal records
check. A fee charged under this division shall not exceed the
amount of fees the appointing authority pays for the criminal
records check. If a fee is charged under this division, the
appointing authority shall notify the applicant at the time of the
applicant's initial application for appointment or employment of
the amount of the fee and that, unless the fee is paid, the
applicant will not be considered for appointment or employment.

(E) The appointing authority shall adopt rules in accordance
with Chapter 119. of the Revised Code to implement this section.
The rules shall include rehabilitation standards a person who has
been convicted of or pleaded guilty to an offense listed in
division (C)(1) of this section must meet for the appointing
authority to appoint or employ the person as an emergency medical
technician-basic, an emergency medical technician-intermediate, or
an emergency medical technician-paramedic.

(F) An appointing authority that intends to request a
criminal records check for an applicant shall inform each
applicant, at the time of the person's initial application for
appointment or employment, that the applicant is required to
provide a set of impressions of the person's fingerprints and that
the appointing authority requires a criminal records check to be
conducted and satisfactorily completed in accordance with section
109.578 of the Revised Code.

(G) As used in this section:

(1) "Appointing authority" means any person or body that has
the authority to hire, appoint, or employ emergency medical
technicians-basic, emergency medical technicians-intermediate, or
emergency medical technicians-paramedic.

(2) "Criminal records check" has the same meaning as in 827
section 109.578 of the Revised Code. 828

(3) "Superintendent of BCII" has the same meaning as in 829
section 2151.86 of the Revised Code. 830

Section 2. That existing section 149.43 of the Revised Code 831
is hereby repealed. 832