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**Senators Goodman, Stivers, Jacobson, Randy Gardner, Dann, Herington,
Austria**

A B I L L

To amend sections 109.57 and 109.572 and to enact	1
section 109.571 of the Revised Code to ratify the	2
National Crime Prevention and Privacy Compact.	3

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

Section 1. That sections 109.57 and 109.572 be amended and	4
section 109.571 of the Revised Code be enacted to read as follows:	5

Sec. 109.57. (A)(1) The superintendent of the bureau of	6
criminal identification and investigation shall procure from	7
wherever procurable and file for record photographs, pictures,	8
descriptions, fingerprints, measurements, and other information	9
that may be pertinent of all persons who have been convicted of	10
committing within this state a felony, any crime constituting a	11
misdemeanor on the first offense and a felony on subsequent	12
offenses, or any misdemeanor described in division (A)(1)(a) of	13
section 109.572 of the Revised Code, of all children under	14
eighteen years of age who have been adjudicated delinquent	15
children for committing within this state an act that would be a	16
felony or an offense of violence if committed by an adult or who	17
have been convicted of or pleaded guilty to committing within this	18
state a felony or an offense of violence, and of all well-known	19

and habitual criminals. The person in charge of any county, 20
multicounty, municipal, municipal-county, or multicounty-municipal 21
jail or workhouse, community-based correctional facility, halfway 22
house, alternative residential facility, or state correctional 23
institution and the person in charge of any state institution 24
having custody of a person suspected of having committed a felony, 25
any crime constituting a misdemeanor on the first offense and a 26
felony on subsequent offenses, or any misdemeanor described in 27
division (A)(1)(a) of section 109.572 of the Revised Code or 28
having custody of a child under eighteen years of age with respect 29
to whom there is probable cause to believe that the child may have 30
committed an act that would be a felony or an offense of violence 31
if committed by an adult shall furnish such material to the 32
superintendent of the bureau. Fingerprints, photographs, or other 33
descriptive information of a child who is under eighteen years of 34
age, has not been arrested or otherwise taken into custody for 35
committing an act that would be a felony or an offense of violence 36
if committed by an adult, has not been adjudicated a delinquent 37
child for committing an act that would be a felony or an offense 38
of violence if committed by an adult, has not been convicted of or 39
pleaded guilty to committing a felony or an offense of violence, 40
and is not a child with respect to whom there is probable cause to 41
believe that the child may have committed an act that would be a 42
felony or an offense of violence if committed by an adult shall 43
not be procured by the superintendent or furnished by any person 44
in charge of any county, multicounty, municipal, municipal-county, 45
or multicounty-municipal jail or workhouse, community-based 46
correctional facility, halfway house, alternative residential 47
facility, or state correctional institution, except as authorized 48
in section 2151.313 of the Revised Code. 49

(2) Every clerk of a court of record in this state, other 50
than the supreme court or a court of appeals, shall send to the 51

superintendent of the bureau a weekly report containing a summary	52
of each case involving a felony, involving any crime constituting	53
a misdemeanor on the first offense and a felony on subsequent	54
offenses, involving a misdemeanor described in division (A)(1)(a)	55
of section 109.572 of the Revised Code, or involving an	56
adjudication in a case in which a child under eighteen years of	57
age was alleged to be a delinquent child for committing an act	58
that would be a felony or an offense of violence if committed by	59
an adult. The clerk of the court of common pleas shall include in	60
the report and summary the clerk sends under this division all	61
information described in divisions (A)(2)(a) to (f) of this	62
section regarding a case before the court of appeals that is	63
served by that clerk. The summary shall be written on the standard	64
forms furnished by the superintendent pursuant to division (B) of	65
this section and shall include the following information:	66
(a) The incident tracking number contained on the standard	67
forms furnished by the superintendent pursuant to division (B) of	68
this section;	69
(b) The style and number of the case;	70
(c) The date of arrest;	71
(d) The date that the person was convicted of or pleaded	72
guilty to the offense, adjudicated a delinquent child for	73
committing the act that would be a felony or an offense of	74
violence if committed by an adult, found not guilty of the	75
offense, or found not to be a delinquent child for committing an	76
act that would be a felony or an offense of violence if committed	77
by an adult, the date of an entry dismissing the charge, an entry	78
declaring a mistrial of the offense in which the person is	79
discharged, an entry finding that the person or child is not	80
competent to stand trial, or an entry of a nolle prosequi, or the	81
date of any other determination that constitutes final resolution	82
of the case;	83

(e) A statement of the original charge with the section of the Revised Code that was alleged to be violated;	84 85
(f) If the person or child was convicted, pleaded guilty, or was adjudicated a delinquent child, the sentence or terms of probation imposed or any other disposition of the offender or the delinquent child.	86 87 88 89
If the offense involved the disarming of a law enforcement officer or an attempt to disarm a law enforcement officer, the clerk shall clearly state that fact in the summary, and the superintendent shall ensure that a clear statement of that fact is placed in the bureau's records.	90 91 92 93 94
(3) The superintendent shall cooperate with and assist sheriffs, chiefs of police, and other law enforcement officers in the establishment of a complete system of criminal identification and in obtaining fingerprints and other means of identification of all persons arrested on a charge of a felony, any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, or a misdemeanor described in division (A)(1)(a) of section 109.572 of the Revised Code and of all children under eighteen years of age arrested or otherwise taken into custody for committing an act that would be a felony or an offense of violence if committed by an adult. The superintendent also shall file for record the fingerprint impressions of all persons confined in a county, multiconty, municipal, municipal-county, or multiconty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution for the violation of state laws and of all children under eighteen years of age who are confined in a county, multiconty, municipal, municipal-county, or multiconty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution or in any	95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115

facility for delinquent children for committing an act that would 116
be a felony or an offense of violence if committed by an adult, 117
and any other information that the superintendent may receive from 118
law enforcement officials of the state and its political 119
subdivisions. 120

(4) The superintendent shall carry out Chapter 2950. of the 121
Revised Code with respect to the registration of persons who are 122
convicted of or plead guilty to a sexually oriented offense and 123
with respect to all other duties imposed on the bureau under that 124
chapter. 125

(5) The bureau shall perform centralized recordkeeping 126
functions for criminal history records and services in this state 127
for purposes of the national crime prevention and privacy compact 128
set forth in section 109.571 of the Revised Code and is the 129
criminal history record repository as defined in that section for 130
purposes of that compact. The superintendent or the 131
superintendent's designee is the compact officer for purposes of 132
that compact and shall carry out the responsibilities of the 133
compact officer specified in that compact. 134

(B) The superintendent shall prepare and furnish to every 135
county, multicounty, municipal, municipal-county, or 136
multicounty-municipal jail or workhouse, community-based 137
correctional facility, halfway house, alternative residential 138
facility, or state correctional institution and to every clerk of 139
a court in this state specified in division (A)(2) of this section 140
standard forms for reporting the information required under 141
division (A) of this section. The standard forms that the 142
superintendent prepares pursuant to this division may be in a 143
tangible format, in an electronic format, or in both tangible 144
formats and electronic formats. 145

(C) The superintendent may operate a center for electronic, 146
automated, or other data processing for the storage and retrieval 147

of information, data, and statistics pertaining to criminals and 148
to children under eighteen years of age who are adjudicated 149
delinquent children for committing an act that would be a felony 150
or an offense of violence if committed by an adult, criminal 151
activity, crime prevention, law enforcement, and criminal justice, 152
and may establish and operate a statewide communications network 153
to gather and disseminate information, data, and statistics for 154
the use of law enforcement agencies. The superintendent may 155
gather, store, retrieve, and disseminate information, data, and 156
statistics that pertain to children who are under eighteen years 157
of age and that are gathered pursuant to sections 109.57 to 109.61 158
of the Revised Code together with information, data, and 159
statistics that pertain to adults and that are gathered pursuant 160
to those sections. In addition to any other authorized use of 161
information, data, and statistics of that nature, the 162
superintendent or the superintendent's designee may provide and 163
exchange the information, data, and statistics pursuant to the 164
national crime prevention and privacy compact as described in 165
division (A)(5) of this section. 166

(D) The information and materials furnished to the 167
superintendent pursuant to division (A) of this section and 168
information and materials furnished to any board or person under 169
division (F) or (G) of this section are not public records under 170
section 149.43 of the Revised Code. 171

(E) The attorney general shall adopt rules, in accordance 172
with Chapter 119. of the Revised Code, setting forth the procedure 173
by which a person may receive or release information gathered by 174
the superintendent pursuant to division (A) of this section. A 175
reasonable fee may be charged for this service. If a temporary 176
employment service submits a request for a determination of 177
whether a person the service plans to refer to an employment 178
position has been convicted of or pleaded guilty to an offense 179

listed in division (A)(1), (3), (4), or (5) of section 109.572 of
the Revised Code, the request shall be treated as a single request
and only one fee shall be charged.

(F)(1) As used in division (F)(2) of this section, "head
start agency" means an entity in this state that has been approved
to be an agency for purposes of subchapter II of the "Community
Economic Development Act," 95 Stat. 489 (1981), 42 U.S.C.A. 9831,
as amended.

(2)(a) In addition to or in conjunction with any request that
is required to be made under section 109.572, 2151.86, 3301.32,
3301.541, 3319.39, 3701.881, 5104.012, 5104.013, 5123.081,
5126.28, 5126.281, or 5153.111 of the Revised Code, the board of
education of any school district; the director of mental
retardation and developmental disabilities; any county board of
mental retardation and developmental disabilities; any entity
under contract with a county board of mental retardation and
developmental disabilities; the chief administrator of any
chartered nonpublic school; the chief administrator of any home
health agency; the chief administrator of or person operating any
child day-care center, type A family day-care home, or type B
family day-care home licensed or certified under Chapter 5104. of
the Revised Code; the administrator of any type C family day-care
home certified pursuant to Section 1 of Sub. H.B. 62 of the 121st
general assembly or Section 5 of Am. Sub. S.B. 160 of the 121st
general assembly; the chief administrator of any head start
agency; or the executive director of a public children services
agency may request that the superintendent of the bureau
investigate and determine, with respect to any individual who has
applied for employment in any position after October 2, 1989, or
any individual wishing to apply for employment with a board of
education may request, with regard to the individual, whether the
bureau has any information gathered under division (A) of this

section that pertains to that individual. On receipt of the 212
request, the superintendent shall determine whether that 213
information exists and, upon request of the person, board, or 214
entity requesting information, also shall request from the federal 215
bureau of investigation any criminal records it has pertaining to 216
that individual. The superintendent or the superintendent's 217
designee also may request criminal history records from other 218
states or the federal government pursuant to the national crime 219
prevention and privacy compact set forth in section 109.571 of the 220
Revised Code. Within thirty days of the date that the 221
superintendent receives a request, the superintendent shall send 222
to the board, entity, or person a report of any information that 223
the superintendent determines exists, including information 224
contained in records that have been sealed under section 2953.32 225
of the Revised Code, and, within thirty days of its receipt, shall 226
send the board, entity, or person a report of any information 227
received from the federal bureau of investigation, other than 228
information the dissemination of which is prohibited by federal 229
law. 230

(b) When a board of education is required to receive 231
information under this section as a prerequisite to employment of 232
an individual pursuant to section 3319.39 of the Revised Code, it 233
may accept a certified copy of records that were issued by the 234
bureau of criminal identification and investigation and that are 235
presented by an individual applying for employment with the 236
district in lieu of requesting that information itself. In such a 237
case, the board shall accept the certified copy issued by the 238
bureau in order to make a photocopy of it for that individual's 239
employment application documents and shall return the certified 240
copy to the individual. In a case of that nature, a district only 241
shall accept a certified copy of records of that nature within one 242
year after the date of their issuance by the bureau. 243

(3) The state board of education may request, with respect to any individual who has applied for employment after October 2, 1989, in any position with the state board or the department of education, any information that a school district board of education is authorized to request under division (F)(2) of this section, and the superintendent of the bureau shall proceed as if the request has been received from a school district board of education under division (F)(2) of this section.	244 245 246 247 248 249 250 251
(4) When the superintendent of the bureau receives a request for information that is authorized under section 3319.291 of the Revised Code, the superintendent shall proceed as if the request has been received from a school district board of education under division (F)(2) of this section.	252 253 254 255 256
(5) When a recipient of an OhioReads classroom or community reading grant paid under section 3301.86 or 3301.87 of the Revised Code or an entity approved by the OhioReads council requests, with respect to any individual who applies to participate in providing any program or service through an entity approved by the OhioReads council or funded in whole or in part by the grant, the information that a school district board of education is authorized to request under division (F)(2)(a) of this section, the superintendent of the bureau shall proceed as if the request has been received from a school district board of education under division (F)(2)(a) of this section.	257 258 259 260 261 262 263 264 265 266 267
(G) In addition to or in conjunction with any request that is required to be made under section 173.41, 3701.881, 3712.09, 3721.121, or 3722.151 of the Revised Code with respect to an individual who has applied for employment in a position that involves providing direct care to an older adult, the chief administrator of a PASSPORT agency that provides services through the PASSPORT program created under section 173.40 of the Revised Code, home health agency, hospice care program, home licensed	268 269 270 271 272 273 274 275

under Chapter 3721. of the Revised Code, adult day-care program	276
operated pursuant to rules adopted under section 3721.04 of the	277
Revised Code, or adult care facility may request that the	278
superintendent of the bureau investigate and determine, with	279
respect to any individual who has applied after January 27, 1997,	280
for employment in a position that does not involve providing	281
direct care to an older adult, whether the bureau has any	282
information gathered under division (A) of this section that	283
pertains to that individual. On receipt of the request, the	284
superintendent shall determine whether that information exists	285
and, on request of the administrator requesting information, shall	286
also request from the federal bureau of investigation any criminal	287
records it has pertaining to that individual. <u>The superintendent</u>	288
<u>or the superintendent's designee also may request criminal history</u>	289
<u>records from other states or the federal government pursuant to</u>	290
<u>the national crime prevention and privacy compact set forth in</u>	291
<u>section 109.571 of the Revised Code.</u> Within thirty days of the	292
date a request is received, the superintendent shall send to the	293
administrator a report of any information determined to exist,	294
including information contained in records that have been sealed	295
under section 2953.32 of the Revised Code, and, within thirty days	296
of its receipt, shall send the administrator a report of any	297
information received from the federal bureau of investigation,	298
other than information the dissemination of which is prohibited by	299
federal law.	300
(H) Information obtained by a board, administrator, or other	301
person under this section is confidential and shall not be	302
released or disseminated.	303
(I) The superintendent may charge a reasonable fee for	304
providing information or criminal records under division (F)(2) or	305
(G) of this section.	306

<u>Sec. 109.571. The "national crime prevention and privacy compact"</u> is hereby ratified, enacted into law, and entered into by the state of Ohio as a party to the compact with any other state that has legally joined in the compact as follows:	307 308 309 310
NATIONAL CRIME PREVENTION AND PRIVACY COMPACT	
<u>The contracting states agree to the following:</u>	311 312
<u>Overview</u>	313
<u>(a) This compact organizes an electronic information sharing system among the federal government and the states to exchange criminal history records for noncriminal justice purposes authorized by federal or state law, such as background checks for governmental licensing and employment.</u>	314 315 316 317 318
<u>(b) Under this compact, the FBI and the party states agree to maintain detailed databases of their respective criminal history records, including arrests and dispositions, and to make them available to the federal government and to party states for authorized purposes. The FBI shall also manage the federal data facilities that provide a significant part of the infrastructure for the system.</u>	319 320 321 322 323 324 325
<u>Article I</u>	326
<u>As used in this compact:</u>	327
<u>(1) "Attorney general"</u> means the attorney general of the United States.	328 329
<u>(2) "Compact officer"</u> means:	330
<u>(A) With respect to the federal government, an official so designated by the director of the FBI; and</u>	331 332
<u>(B) With respect to a party state, the chief administrator of the state's criminal history record repository or a designee of the chief administrator who is a regular full-time employee of the repository.</u>	333 334 335 336

<u>(3) "Council"</u> means the compact council established under Article VI of the compact.	337
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<u>(4)(A) "Criminal history records"</u> means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, or release.	339
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<u>(B) "Criminal history records"</u> does not include identification information such as fingerprint records if the information does not indicate involvement of the individual with the criminal justice system.	345
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<u>(5) "Criminal history record repository"</u> means the state agency designated by the governor or other appropriate executive official or the legislature of a state to perform centralized recordkeeping functions for criminal history records and services in the state.	349
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<u>(6) "Criminal justice"</u> includes activities relating to the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice includes criminal identification activities and the collection, storage, and dissemination of criminal history records.	354
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<u>(7) "Criminal justice agency"</u> means courts and a governmental agency or any subunit of a governmental agency that performs the administration of criminal justice pursuant to a statute or executive order and allocates a substantial part of its annual budget to the administration of criminal justice. "Criminal justice agency" also includes federal and state inspectors general offices.	361
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<u>(8) "Criminal justice services"</u> means services provided by the FBI to criminal justice agencies in response to a request for information about a particular individual or as an update to information previously provided for criminal justice purposes.	368 369 370 371
<u>(9) "Criterion offense"</u> means any felony or misdemeanor offense not included on the list of nonserious offenses published periodically by the FBI.	372 373 374
<u>(10) "Direct access"</u> means access to the national identification index by computer terminal or other automated means not requiring the assistance of or intervention by any other party or agency.	375 376 377 378
<u>(11) "Executive order"</u> means an order of the president of the United States or the chief executive officer of a state that has the force of law and that is promulgated in accordance with applicable law.	379 380 381 382
<u>(12) "FBI"</u> means the federal bureau of investigation.	383
<u>(13) "Interstate identification system"</u> or "III system" means the cooperative federal-state system for the exchange of criminal history records and includes the national identification index, the national fingerprint file, and, to the extent of their participation in that system, the criminal history record repositories of the states and the FBI.	384 385 386 387 388 389
<u>(14) "National fingerprint file"</u> means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III system.	390 391 392 393 394
<u>(15) "National identification index"</u> means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects	395 396 397

<u>about whom there are criminal history records in the III system.</u>	398
<u>(16) "National indices" means the national identification index and the national fingerprint file.</u>	399 400
<u>(17) "Nonparty state" means a state that has not ratified this compact.</u>	401 402
<u>(18) "Noncriminal justice purposes" means uses of criminal history records for purposes authorized by federal or state law other than purposes relating to criminal justice activities, including employment suitability, licensing determinations, immigration and naturalization matters, and national security clearances.</u>	403 404 405 406 407 408
<u>(19) "Party state" means a state that has ratified this compact.</u>	409 410
<u>(20) "Positive identification" means a determination, based upon a comparison of fingerprints or other equally reliable biometric identification techniques, that the subject of a record search is the same person as the subject of a criminal history record or records indexed in the III system. Identifications based solely upon a comparison of subject's names or other nonunique identification characteristics or numbers, or combinations thereof, shall not constitute positive identification.</u>	411 412 413 414 415 416 417 418
<u>(21) "Sealed record information" means both of the following:</u>	419
<u>(A) With respect to adults, that portion of a record that is not available for criminal justice uses, not supported by fingerprints or other accepted means of positive identification, or subject to restrictions on dissemination for noncriminal justice purposes pursuant to a court order related to a particular subject or pursuant to a federal or state statute that requires action on a sealing petition filed by a particular record subject;</u>	420 421 422 423 424 425 426
<u>(B) With respect to juveniles, whatever each state determines</u>	427

<u>is a sealed record under its own law and procedure.</u>	428
<u>(22) "State" means any state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.</u>	429 430 431
<u>Article II</u>	432
<u>The purposes of this compact are to do all of the following:</u>	433
<u>(1) Provide a legal framework for the establishment of a cooperative federal-state system for the interstate and federal-state exchange of criminal history records for noncriminal justice uses;</u>	434 435 436 437
<u>(2) Require the FBI to permit use of the national identification index and the national fingerprint file by each party state, and to provide, in a timely fashion, federal and state criminal history records to requesting states, in accordance with the terms of this compact and with rules, procedures, and standards established by the council under Article VI;</u>	438 439 440 441 442 443
<u>(3) Require party states to provide information and records for the national identification index and the national fingerprint file and to provide criminal history records, in a timely fashion, to criminal history record repositories of other states and the federal government for noncriminal justice purposes, in accordance with the terms of this compact and with rules, procedures, and standards established by the council under Article VI;</u>	444 445 446 447 448 449 450
<u>(4) Provide for the establishment of a council to monitor III system operations and to prescribe system rules and procedures for the effective and proper operation of the III system for noncriminal justice purposes;</u>	451 452 453 454
<u>(5) Require the FBI and each party state to adhere to III system standards concerning record dissemination and use, response times, system security, data quality, and other duly established</u>	455 456 457

<u>standards, including those that enhance the accuracy and privacy of such records.</u>	458
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<u>Article III</u>	460
<u>(a) The director of the FBI shall do all of the following:</u>	461
<u>(1) Appoint an FBI compact officer who shall do all of the following:</u>	462
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<u>(A) Administer this compact within the department of justice and among federal agencies and other agencies and organizations that submit search requests to the FBI pursuant to Article V(c);</u>	464
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<u>(B) Ensure that compact provisions and rules, procedures, and standards prescribed by the council under Article VI are complied with by the department of justice and the federal agencies and other agencies and organizations referred to in Article III(1)(A);</u>	467
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<u>(C) Regulate the use of records received by means of the III system from party states when those records are supplied by the FBI directly to other federal agencies;</u>	471
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<u>(2) Provide to federal agencies and to state criminal history record repositories criminal history records maintained in its database for the noncriminal justice purposes described in Article IV, including both of the following:</u>	474
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<u>(A) Information from nonparty states;</u>	478
<u>(B) Information from party states that is available from the FBI through the III system, but is not available from the party state through the III system;</u>	479
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<u>(3) Provide a telecommunications network and maintain centralized facilities for the exchange of criminal history records for both criminal justice purposes and the noncriminal justice purposes described in Article IV, and ensure that the exchange of criminal history records for criminal justice purposes has priority over exchange for noncriminal justice purposes;</u>	482
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<u>(4) Modify or enter into user agreements with nonparty state criminal history record repositories to require them to establish record request procedures conforming to those prescribed in Article V.</u>	488
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<u>(b) Each party state shall do all of the following:</u>	492
<u>(1) Appoint a compact officer who shall do all of the following:</u>	493
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<u>(A) Administer this compact within that state;</u>	495
<u>(B) Ensure that the compact provisions and rules, procedures, and standards established by the council under Article VI are complied with in the state;</u>	496
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<u>(C) Regulate the in-state use of records received by means of the III system from the FBI or from other party states;</u>	499
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<u>(2) Establish and maintain a criminal history record repository, which shall provide both of the following:</u>	501
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<u>(A) Information and records for the national identification index and the national fingerprint file;</u>	503
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<u>(B) The state's III system-indexed criminal history records for noncriminal justice purposes described in Article IV;</u>	505
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<u>(3) Participate in the national fingerprint file;</u>	507
<u>(4) Provide and maintain telecommunications links and related equipment necessary to support the services set forth in this compact.</u>	508
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<u>(c) In carrying out their responsibilities under this compact, the FBI and each party state shall comply with the III system rules, procedures, and standards duly established by the council concerning record dissemination and use, response times, data quality, system security, accuracy, privacy protection, and other aspects of III system operation.</u>	511
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<u>(d)(1) Use of the III system for noncriminal justice purposes authorized in this compact shall be managed so as not to diminish the level of services provided in support of criminal justice purposes.</u>	517 518 519 520
<u>(2) Administration of compact provisions shall not reduce the level of service available to authorized noncriminal justice users on the effective date of this compact.</u>	521 522 523
Article IV	
<u>(a) To the extent authorized by section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), the FBI shall provide on request criminal history records (excluding sealed records) to state criminal history record repositories for noncriminal justice purposes allowed by federal statute, federal executive order, or a state statute that has been approved by the attorney general and that authorizes national indices checks.</u>	525 526 527 528 529 530 531 532
<u>(b) The FBI, to the extent authorized by section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974') and state criminal history record repositories, shall provide criminal history records (excluding sealed records) to criminal justice agencies and other governmental or nongovernmental agencies for noncriminal justice purposes allowed by federal statute, federal executive order, or a state statute that has been approved by the attorney general, that authorizes national indices checks.</u>	533 534 535 536 537 538 539 540 541
<u>(c) Any record obtained under this compact may be used only for the official purposes for which the record was requested. Each compact officer shall establish procedures, consistent with this compact, and with rules, procedures, and standards established by the council under Article VI, which procedures shall protect the accuracy and privacy of the records, and shall do all of the</u>	542 543 544 545 546 547

<u>following:</u>	548
(1) <u>Ensure that records obtained under this compact are used</u>	549
<u>only by authorized officials for authorized purposes;</u>	550
(2) <u>Require that subsequent record checks are requested to</u>	551
<u>obtain current information whenever a new need arises;</u>	552
(3) <u>Ensure that record entries that may not legally be used</u>	553
<u>for a particular noncriminal justice purpose are deleted from the</u>	554
<u>response and, if no information authorized for release remains, an</u>	555
<u>appropriate 'no record' response is communicated to the requesting</u>	556
<u>official.</u>	557
<u>Article V</u>	558
(a) <u>Subject fingerprints or other approved forms of positive</u>	559
<u>identification shall be submitted with all requests for criminal</u>	560
<u>history record checks for noncriminal justice purposes.</u>	561
(b) <u>Each request for a criminal history record check</u>	562
<u>utilizing the national indices made under any approved state</u>	563
<u>statute shall be submitted through that state's criminal history</u>	564
<u>record repository. A state criminal history record repository</u>	565
<u>shall process an interstate request for noncriminal justice</u>	566
<u>purposes through the national indices only if the request is</u>	567
<u>transmitted through another state criminal history record</u>	568
<u>repository or the FBI.</u>	569
(c) <u>Each request for criminal history record checks utilizing</u>	570
<u>the national indices made under federal authority shall be</u>	571
<u>submitted through the FBI or, if the state criminal history record</u>	572
<u>repository consents to process fingerprint submissions, through</u>	573
<u>the criminal history record repository in the state in which the</u>	574
<u>request originated. Direct access to the national identification</u>	575
<u>index by entities other than the FBI or state criminal history</u>	576
<u>record repositories shall not be permitted for noncriminal justice</u>	577
<u>purposes.</u>	578

(d) A state criminal history record repository for the FBI may charge a fee, in accordance with applicable law, for handling a request involving fingerprint processing for noncriminal justice purposes and may not charge a fee for providing criminal history records in response to an electric request for a record that does not involve a request to process fingerprints. 579
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(e)(1) If a state criminal history record repository cannot positively identify the subject of a record request made for noncriminal justice purposes, the request, together with fingerprints or other approved identifying information, shall be forwarded to the FBI for a search of the national indices. 585
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(2) If, with respect to a request forwarded by a state criminal history record repository under paragraph (1), the FBI positively identifies the subject as having a III system-indexed record or records, the FBI shall so advise the state criminal history repository; and the state criminal history record repository shall be entitled to obtain the additional criminal history record information from the FBI or other state criminal history record repositories. 590
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Article VI 598

(a)(1) There is established a council to be known as the 'compact council,' which shall have the authority to promulgate rules and procedures governing the use of the III system for noncriminal justice purposes, not to conflict with the FBI administration of the III system for criminal justice purposes. 599
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(2) The council shall do all of the following: 604

(A) Continue in existence as long as this compact remains in effect; 605
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(B) Be located, for administrative purposes, within the FBI; 607

(C) Be organized and hold its first meeting as soon as 608

<u>practicable after the effective date of this compact.</u>	609
<u>(b) The council shall be composed of fifteen members, each of whom shall be appointed by the attorney general as follows:</u>	610
<u>(1) Nine members, each of whom shall serve a two-year term, who shall be selected from among the compact officers of party states based on the recommendation of the compact officers of all party states, except that, in the absence of the requisite number of compact officers available to serve, the chief administrators of the criminal history record repositories of nonparty states shall be eligible to serve on an interim basis;</u>	612
<u>(2) Two at-large members, nominated by the director of the FBI, each of whom shall serve a three-year term, of whom one shall be a representative of the criminal justice agencies of the federal government and may not be employed by the FBI; and one shall be a representative of the noncriminal justice agencies of the federal government;</u>	619
<u>(3) Two at-large members, nominated by the chairman of the council, once the chairman is elected pursuant to Article VI(c), each of whom shall serve a three-year term, of whom one shall be a representative of state or local criminal justice agencies; and one shall be a representative of state or local noncriminal justice agencies;</u>	625
<u>(4) One member, who shall serve a three-year term, and who shall simultaneously be a member of the FBI's advisory policy board on criminal justice information services, nominated by the membership of that policy board;</u>	631
<u>(5) One member, nominated by the director of the FBI, who shall serve a three-year term, and who shall be an employee of the FBI.</u>	635
<u>(c)(1) From its membership, the council shall elect a</u>	638

<u>chairman and a vice chairman of the council, respectively. Both the chairman and the vice chairman shall be a compact officer, unless there is no compact officer on the council who is willing to serve, in which case the chairman may be an at-large member; and shall serve a two-year term and may be reelected to only one additional two-year term.</u>	639 640 641 642 643 644
<u>(2) The vice chairman of the council shall serve as the chairman of the council in the absence of the chairman.</u>	645 646
<u>(d)(1) The council shall meet at least once each year at the call of the chairman. Each meeting of the council shall be open to the public. The council shall provide prior public notice in the federal register of each meeting of the council, including the matters to be addressed at the meeting.</u>	647 648 649 650 651
<u>(2) A majority of the council or any committee of the council shall constitute a quorum of the council or of such committee, respectively, for the conduct of business. A lesser number may meet to hold hearings, take testimony, or conduct any business not requiring a vote.</u>	652 653 654 655 656
<u>(e) The council shall make available for public inspection and copying at the council office with the FBI, and shall publish in the federal register, any rules, procedures, or standards established by the council.</u>	657 658 659 660
<u>(f) The council may request from the FBI ANY reports, studies, statistics, or other information or materials THAT the council determines to be necessary to enable the council to perform its duties under this compact. The FBI, to the extent authorized by law, may provide such assistance or information upon such a request.</u>	661 662 663 664 665 666
<u>(g) The chairman may establish committees as necessary to carry out this compact and may prescribe their membership, responsibilities, and duration.</u>	667 668 669

<u>Article VII</u>	670
<u>This compact shall take effect upon being entered into by two or more states as between those states and the federal government.</u>	671
<u>Upon subsequent entering into this compact by additional states, it shall become effective among those states and the federal government and each party state that has previously ratified it.</u>	672
<u>When ratified, this compact shall have the full force and effect of law within the ratifying jurisdictions. The form of ratification shall be in accordance with the laws of the executing state.</u>	673
<u>Article VIII</u>	674
<u>(a) Administration of this compact shall not interfere with the management and control of the director of the FBI over the FBI's collection and dissemination of criminal history records and the advisory function of the FBI's advisory policy board chartered under the Federal Advisory Committee Act (5 U.S.C. App.) for all purposes other than noncriminal justice.</u>	675
<u>(b) Nothing in this compact shall require the FBI to obligate or expend funds beyond those appropriated to the FBI.</u>	676
<u>(c) Nothing in this compact shall diminish or lessen the obligations, responsibilities, and authorities of any state, whether a party state or a nonparty state, or of any criminal history record repository or other subdivision or component thereof, under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973 (Public Law 92-544), or regulations and guidelines promulgated thereunder, including the rules and procedures promulgated by the council under Article VI(a), regarding the use and dissemination of criminal history records and information.</u>	677
<u>Article IX</u>	678
<u>(a) This compact shall bind each party state until renounced</u>	679

<u>by the party state.</u>	701
<u>(b) Any renunciation of this compact by a party state shall be effected in the same manner by which the party state ratified this compact and shall become effective one hundred and eighty days after written notice of renunciation is provided by the party state to each other party state and to the federal government.</u>	702 703 704 705 706
<u>Article X</u>	707
<u>The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any participating state, or to the Constitution of the United States, or the applicability of any phrase, clause, sentence, or provision of this compact to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability of the remainder of this compact to any government, agency, person, or circumstance shall not be affected thereby. If a portion of this compact is held contrary to the constitution of any party state, all other portions of this compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party states affected, as to all other provisions.</u>	708 709 710 711 712 713 714 715 716 717 718 719 720 721
<u>Article XI</u>	722
<u>(a) The council shall do both of the following:</u>	723
<u>(1) Have initial authority to make determinations with respect to any dispute regarding all of the following:</u>	724 725
<u>(A) Interpretation of this compact;</u>	726
<u>(B) Any rule or standard established by the council pursuant to Article V;</u>	727 728
<u>(C) Any dispute or controversy between any parties to this compact;</u>	729 730

<u>(2) Hold a hearing concerning any dispute described in paragraph (1) at a regularly scheduled meeting of the council and only render a decision based upon a majority vote of the members of the council. The decision shall be published pursuant to the requirements of Article VI(e).</u>	731 732 733 734 735
<u>(b) The FBI shall exercise immediate and necessary action to preserve the integrity of the III system, maintain system policy and standards, protect the accuracy and privacy of records, and to prevent abuses, until the council holds a hearing on such matters.</u>	736 737 738 739
<u>(c) The FBI or a party state may appeal any decision of the council to the attorney general, and thereafter may file suit in the appropriate district court of the United States, which shall have original jurisdiction of all cases or controversies arising under this compact. Any suit arising under this compact and initiated in a state court shall be removed to the appropriate district court of the United States in the manner provided by section 1446 of title 28, United States Code, or other statutory authority.</u>	740 741 742 743 744 745 746 747 748
Sec. 109.572. (A)(1) Upon receipt of a request pursuant to section 2151.86, 3301.32, 3301.541, 3319.39, 5104.012, 5104.013, or 5153.111 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:	749 750 751 752 753 754 755 756 757 758 759 760
(a) A violation of section 2903.01, 2903.02, 2903.03,	761

2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34,	762
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05,	763
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23,	764
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01,	765
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25,	766
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05,	767
2925.06, or 3716.11 of the Revised Code, felonious sexual	768
penetration in violation of former section 2907.12 of the Revised	769
Code, a violation of section 2905.04 of the Revised Code as it	770
existed prior to July 1, 1996, a violation of section 2919.23 of	771
the Revised Code that would have been a violation of section	772
2905.04 of the Revised Code as it existed prior to July 1, 1996,	773
had the violation been committed prior to that date, or a	774
violation of section 2925.11 of the Revised Code that is not a	775
minor drug possession offense;	776
(b) A violation of an existing or former law of this state,	777
any other state, or the United States that is substantially	778
equivalent to any of the offenses listed in division (A)(1)(a) of	779
this section.	780
(2) On receipt of a request pursuant to section 5123.081 of	781
the Revised Code with respect to an applicant for employment in	782
any position with the department of mental retardation and	783
developmental disabilities, pursuant to section 5126.28 of the	784
Revised Code with respect to an applicant for employment in any	785
position with a county board of mental retardation and	786
developmental disabilities, or pursuant to section 5126.281 of the	787
Revised Code with respect to an applicant for employment in a	788
direct services position with an entity contracting with a county	789
board for employment, a completed form prescribed pursuant to	790
division (C)(1) of this section, and a set of fingerprint	791
impressions obtained in the manner described in division (C)(2) of	792
this section, the superintendent of the bureau of criminal	793

identification and investigation shall conduct a criminal records check. The superintendent shall conduct the 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 has been convicted of or pleaded guilty to any of the following:	794 795 796 797 798 799
(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, or 3716.11 of the Revised Code;	800 801 802 803 804 805 806 807
(b) An existing or former municipal ordinance or law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(2)(a) of this section.	808 809 810 811
(3) On receipt of a request pursuant to section 173.41, 3712.09, 3721.121, or 3722.151 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 with respect to any person who has applied for employment in a position that involves providing direct care to an older adult. The superintendent shall conduct the 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:	812 813 814 815 816 817 818 819 820 821 822 823 824

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;	825 826 827 828 829 830 831 832 833
(b) 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)(3)(a) of this section.	834 835 836
(4) On receipt of a request pursuant to section 3701.881 of the Revised Code with respect to an applicant for employment with a home health agency as a person responsible for the care, custody, or control of a child, 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. The superintendent shall conduct the 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:	837 838 839 840 841 842 843 844 845 846 847 848 849 850
(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22,	851 852 853 854 855 856

2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;	857 858 859 860
(b) 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)(4)(a) of this section.	861 862 863
(5) On receipt of a request pursuant to section 3701.881 of the Revised Code with respect to an applicant for employment with a home health agency in a position that involves providing direct care to an older adult, 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. The superintendent shall conduct the 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:	864 865 866 867 868 869 870 871 872 873 874 875 876
(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;	877 878 879 880 881 882 883 884 885
(b) 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)(5)(a) of this section.	886 887 888

(6) When conducting a criminal records check upon a request pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, in addition to the determination made under division (A)(1) of this section, the superintendent shall 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 offense specified in section 3319.31 of the Revised Code.	889 890 891 892 893 894 895 896
(7) When conducting a criminal records check on a request pursuant to section 2151.86 of the Revised Code for a person who is a prospective foster caregiver or who is eighteen years old or older and resides in the home of a prospective foster caregiver, the superintendent, in addition to the determination made under division (A)(1) of this section, shall determine whether any information exists that indicates that the person has been convicted of or pleaded guilty to a violation of:	897 898 899 900 901 902 903 904
(a) Section 2909.02 or 2909.03 of the Revised Code;	905
(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to section 2909.02 or 2909.03 of the Revised Code.	906 907 908
(8) Not later than thirty days after the date the superintendent receives the request, completed form, and fingerprint impressions, the superintendent shall send the person, board, or entity that made the request any information, other than information the dissemination of which is prohibited by federal law, the superintendent determines exists with respect to the person who is the subject of the request that indicates that the person previously has been convicted of or pleaded guilty to any offense listed or described in division (A)(1), (2), (3), (4), (5), (6), or (7) of this section, as appropriate. The superintendent shall send the person, board, or entity that made	909 910 911 912 913 914 915 916 917 918 919

the request a copy of the list of offenses specified in division (A)(1), (2), (3), (4), (5), (6), or (7) of this section, as appropriate. If the request was made under section 3701.881 of the Revised Code with regard to an applicant who may be both responsible for the care, custody, or control of a child and involved in providing direct care to an older adult, the superintendent shall provide a list of the offenses specified in divisions (A)(4) and (5) of this section.	920 921 922 923 924 925 926 927
(B) The superintendent shall conduct any criminal records check requested under section 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5123.081, 5126.28, 5126.281, or 5153.111 of the Revised Code as follows:	928 929 930 931 932
(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;	933 934 935 936 937 938
(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;	939 940 941 942 943 944 945
<u>(3) The superintendent or the superintendent's designee may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code.</u>	<u>946</u> <u>947</u> <u>948</u> <u>949</u>
(C)(1) The superintendent shall prescribe a form to obtain	950

the information necessary to conduct a criminal records check from 951
any person for whom a criminal records check is required by 952
section 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 953
3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5123.081, 954
5126.28, 5126.281, or 5153.111 of the Revised Code. The form that 955
the superintendent prescribes pursuant to this division may be in 956
a tangible format, in an electronic format, or in both tangible 957
and electronic formats. 958

(2) The superintendent shall prescribe standard impression 959
sheets to obtain the fingerprint impressions of any person for 960
whom a criminal records check is required by section 173.41, 961
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 962
3722.151, 5104.012, 5104.013, 5123.081, 5126.28, 5126.281, or 963
5153.111 of the Revised Code. Any person for whom a records check 964
is required by any of those sections shall obtain the fingerprint 965
impressions at a county sheriff's office, municipal police 966
department, or any other entity with the ability to make 967
fingerprint impressions on the standard impression sheets 968
prescribed by the superintendent. The office, department, or 969
entity may charge the person a reasonable fee for making the 970
impressions. The standard impression sheets the superintendent 971
prescribes pursuant to this division may be in a tangible format, 972
in an electronic format, or in both tangible and electronic 973
formats. 974

(3) Subject to division (D) of this section, the 975
superintendent shall prescribe and charge a reasonable fee for 976
providing a criminal records check requested under section 173.41, 977
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 978
3722.151, 5104.012, 5104.013, 5123.081, 5126.28, 5126.281, or 979
5153.111 of the Revised Code. The person making a criminal records 980
request under section 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 981
3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 982

5123.081, 5126.28, 5126.281, or 5153.111 of the Revised Code shall pay the fee prescribed pursuant to this division. A person making a request under section 3701.881 of the Revised Code for a criminal records check for an applicant who may be both responsible for the care, custody, or control of a child and involved in providing direct care to an older adult shall pay one fee for the request.	983 984 985 986 987 988 989
(4) The superintendent of the bureau of criminal identification and investigation may prescribe methods of forwarding fingerprint impressions and information necessary to conduct a criminal records check, which methods shall include, but not be limited to, an electronic method.	990 991 992 993 994
(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)(1)(a) or (b), (A)(2)(a) or (b), (A)(3)(a) or (b), (A)(4)(a) or (b), (A)(5)(a) or (b), (A)(6), or (A)(7)(a) or (b) of this section that is made by the superintendent 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.	995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010
(E) As used in this section:	1011
(1) "Criminal records check" means any criminal records check conducted by the superintendent of the bureau of criminal	1012 1013

identification and investigation in accordance with division (B)	1014
of this section.	1015
(2) "Minor drug possession offense" has the same meaning as	1016
in section 2925.01 of the Revised Code.	1017
(3) "Older adult" means a person age sixty or older.	1018
 Section 2. That existing sections 109.57 and 109.572 of the	1019
Revised Code are hereby repealed.	1020
 Section 3. Section 109.572 of the Revised Code is presented	1021
in this act as a composite of the section as amended by both Sub.	1022
H.B. 448 and Sub. H.B. 538 of the 123rd General Assembly. The	1023
General Assembly, applying the principle stated in division (B) of	1024
section 1.52 of the Revised Code that amendments are to be	1025
harmonized if reasonably capable of simultaneous operation, finds	1026
that the composite is the resulting version of the section in	1027
effect prior to the effective date of the section as presented in	1028
this act.	1029