

AN ACT

To amend sections 2917.46, 2933.41, 3313.206, 5502.61, and 5502.62 and to repeal section 3301.076 of the Revised Code to abolish the children's safety program known as the Block Parent Program in the State Board of Education, to establish in its place the McGruff House Program in the Division of Criminal Justice Services of the Department of Public Safety, to create the offense of unauthorized use of a McGruff house symbol, and if a citizens' reward program has entered into an agreement of affiliation with a board of county commissioners, to permit instead of require specified law enforcement agencies to pay 25 per cent of the proceeds from the sale of forfeited property to that citizens' reward program.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 2917.46, 2933.41, 3313.206, 5502.61, and 5502.62 of the Revised Code be amended to read as follows:

Sec. 2917.46. (A) No person shall, with intent to identify a building as a block parent home or building, display the block parent symbol adopted by the state board of education pursuant to former section 3301.076 of the Revised Code ~~unless authorized in accordance with that section or section 3313.206 of the Revised Code~~ prior to its repeal on the effective date of this amendment.

(B) No person shall, with intent to identify a building as a block parent home or building, display a symbol that falsely gives the appearance of being the block parent symbol adopted by the state board of education pursuant to former section 3301.076 of the Revised Code prior to its repeal on the effective date of this amendment.

(C) No person, with intent to identify a home or building as a mcgruff house program home or building, shall display the mcgruff house symbol adopted by the division of criminal justice services in the state department

of public safety pursuant to section 5502.62 of the Revised Code unless authorized in accordance with that section, any rule adopted pursuant to that section, or section 3313.206 of the Revised Code.

(D) No person, with intent to identify a home or building as a mcgruff house program home or building, shall display a symbol that falsely gives the appearance of being the mcgruff house symbol adopted by the division of criminal justice services in the state department of public safety pursuant to section 5502.62 of the Revised Code or any rule adopted pursuant to that section.

(E)(1) Whoever violates division (A) or (B) of this section is guilty of unauthorized use of a block parent symbol, a minor misdemeanor.

(2) Whoever violates division (C) or (D) of this section is guilty of unauthorized use of a mcgruff house symbol, a minor misdemeanor.

Sec. 2933.41. (A)(1) Any property, other than contraband that is subject to the provisions of section 2913.34 or 2933.43 of the Revised Code, other than property that is subject to section 3719.141 of the Revised Code, other than property that is forfeited under sections 2923.44 to 2923.47 or 2925.41 to 2925.45 of the Revised Code, other than a vehicle that is criminally forfeited under an order issued under section 4503.233 or 4503.234 of the Revised Code and that is to be disposed of under section 4503.234 of the Revised Code, other than property that has been lawfully seized under sections 2933.71 to 2933.75 of the Revised Code in relation to a medicaid fraud offense, and other than property that has been lawfully seized in relation to a violation of section 2923.32 of the Revised Code, that has been lost, abandoned, stolen, seized pursuant to a search warrant, or otherwise lawfully seized or forfeited, and that is in the custody of a law enforcement agency shall be kept safely pending the time it no longer is needed as evidence and shall be disposed of pursuant to this section. Each law enforcement agency that has custody of any property that is subject to this section shall adopt a written internal control policy that addresses the keeping of detailed records as to the amount of property taken in by the agency, that addresses the agency's disposition of the property under this section, that provides for the keeping of detailed records of the disposition of the property, and that provides for the keeping of detailed financial records of the amount and disposition of any proceeds of a sale of the property under division (D)(8) of this section and of the general types of expenditures made out of the proceeds retained by the agency and the specific amount expended on each general type of expenditure. The policy shall not provide for or permit the identification of any specific expenditure that is made in an ongoing investigation. The policy is a public record open

for inspection under section 149.43 of the Revised Code.

(2)(a) Every law enforcement agency that has any lost, abandoned, stolen, seized, or forfeited property as described in division (A)(1) of this section in its custody shall comply with its written internal control policy adopted under that division relative to the property. Each agency that has any such property in its custody, except for property to be disposed of under division (D)(4) of this section, shall maintain an accurate record, in accordance with its written internal control policy, of each item of the property. The record shall include the date on which each item of property came into the agency's custody, the manner in which it was disposed of, the date of its disposition, the name of the person who received the property if it was not destroyed, and all other information required by the agency's written internal control policy; however, the record shall not identify or enable the identification of the individual officer who seized any item of property. The record of any property that no longer is needed as evidence, and all financial records of the amount and disposition of any proceeds of a sale under division (D)(8) of this section and of the general types of expenditures made out of the proceeds retained by the agency and the specific amount of each general type of expenditure, shall be open to public inspection during the agency's regular business hours.

Each law enforcement agency that, during any calendar year, has any seized or forfeited property as described in division (A)(1) of this section in its custody shall prepare a report covering the calendar year that cumulates all of the information contained in all of the records kept by the agency pursuant to this division for that calendar year and shall send a copy of the cumulative report, no later than the first day of March in the calendar year following the calendar year covered by the report, to the attorney general. Each report received by the attorney general is a public record open for inspection under section 149.43 of the Revised Code.

(b) Each law enforcement agency that receives in any calendar year any proceeds of a sale under division (D)(8) of this section shall prepare a report covering the calendar year that cumulates all of the information contained in all of the public financial records kept by the agency pursuant to division (D)(2)(a) of this section for that calendar year and shall send a copy of the cumulative report, no later than the first day of March in the calendar year following the calendar year covered by the report, to the attorney general. Each report received by the attorney general is a public record open for inspection under section 149.43 of the Revised Code.

(c) Not later than the fifteenth day of April in the calendar year in which reports are sent to the attorney general under divisions (A)(2)(a) and (b) of

this section, the attorney general shall send to the president of the senate and the speaker of the house of representatives a written notification that does all of the following:

(i) Indicates that the attorney general has received from law enforcement agencies reports of the type described in division (A)(2)(a), (A)(2)(b), or both (A)(2)(a) and (b) of this section, whichever is applicable, that cover the previous calendar year and indicates that the reports were received under division (A)(2)(a), (A)(2)(b), or both (A)(2)(a) and (b) of this section, whichever is applicable;

(ii) Indicates that the reports are open for inspection under section 149.43 of the Revised Code;

(iii) Indicates that the attorney general will provide a copy of any or all of the reports to the president of the senate or the speaker of the house of representatives upon request.

(B) A law enforcement agency that has property in its possession that is required to be disposed of pursuant to this section shall make a reasonable effort to locate the persons entitled to possession of the property in its custody, to notify them of when and where it may be claimed, and to return the property to them at the earliest possible time. In the absence of evidence identifying persons entitled to possession, it is sufficient notice to advertise in a newspaper of general circulation in the county, briefly describing the nature of the property in custody and inviting persons to view and establish their right to it.

(C) A person loses any right that the person may have to the possession, or the possession and ownership, of property if any of the following applies:

(1) The property was the subject, or was used in a conspiracy or attempt to commit, or in the commission, of an offense other than a traffic offense, and the person is a conspirator, accomplice, or offender with respect to the offense.

(2) A court determines that the property should be forfeited because, in light of the nature of the property or the circumstances of the person, it is unlawful for the person to acquire or possess the property.

(D) Unclaimed or forfeited property in the custody of a law enforcement agency, other than contraband that is subject to the provisions of section 2913.34 or 2933.43 of the Revised Code, other than property forfeited under sections 2923.44 to 2923.47 or 2925.41 to 2925.45 of the Revised Code, and other than property that has been lawfully seized in relation to a violation of section 2923.32 of the Revised Code, shall be disposed of on application to and order of any court of record that has territorial jurisdiction over the political subdivision in which the law enforcement agency has jurisdiction

to engage in law enforcement activities, as follows:

(1) Drugs shall be disposed of pursuant to section 3719.11 of the Revised Code or placed in the custody of the secretary of the treasury of the United States for disposal or use for medical or scientific purposes under applicable federal law.

(2) Firearms and dangerous ordnance suitable for police work may be given to a law enforcement agency for that purpose. Firearms suitable for sporting use or as museum pieces or collectors' items may be sold at public auction pursuant to division (D)(8) of this section. Other firearms and dangerous ordnance shall be destroyed by the agency or shall be sent to the bureau of criminal identification and investigation for destruction by the bureau.

(3) Obscene materials shall be destroyed.

(4) Except as otherwise provided in division (D)(4) of this section, beer or intoxicating liquor seized by a law enforcement agency shall be destroyed. Intoxicating liquor seized by the investigative unit in the department of public safety may be distributed for training relating to law enforcement activities. Pursuant to rules the department adopts in accordance with Chapter 119. of the Revised Code, the department shall provide for the distribution of seized intoxicating liquor that is not distributed for training relating to its law enforcement activities, to state or local law enforcement agencies, upon their request, for training related to their law enforcement activities.

(5) Money received by an inmate of a correctional institution from an unauthorized source or in an unauthorized manner shall be returned to the sender, if known, or deposited in the inmates' industrial and entertainment fund if the sender is not known.

(6) Vehicles and vehicle parts forfeited under sections 4549.61 to 4549.63 of the Revised Code may be given to a law enforcement agency for use in the performance of its duties. Those parts may be incorporated into any other official vehicle. Parts that do not bear vehicle identification numbers or derivatives of them may be sold or disposed of as provided by rules of the director of public safety. Parts from which a vehicle identification number or derivative of it has been removed, defaced, covered, altered, or destroyed and that are not suitable for police work or incorporation into an official vehicle shall be destroyed and sold as junk or scrap.

(7)(a) Computers, computer networks, computer systems, and computer software suitable for police work may be given to a law enforcement agency for that purpose. Other computers, computer networks, computer systems,

and computer software shall be disposed of pursuant to division (D)(8) of this section.

(b) As used in this section, "computers," "computer networks," "computer systems," and "computer software" have the same meanings as in section 2913.01 of the Revised Code.

(8) Other unclaimed or forfeited property, including personal property that is abandoned or relinquished by an inmate of a state correctional institution, with the approval of the court, may be used by the law enforcement agency that has possession of it. If the other unclaimed or forfeited property is not used by the law enforcement agency, it may be sold, without appraisal, at a public auction to the highest bidder for cash, or, in the case of other unclaimed or forfeited moneys, disposed of in another manner that the court considers proper in the circumstances.

(E)(1)(a) If the property was in the possession of the law enforcement agency in relation to a delinquent child proceeding in a juvenile court, ten per cent of the proceeds from property disposed of pursuant to this section shall be applied to one or more alcohol and drug addiction treatment programs that are certified by the department of alcohol and drug addiction services under section 3793.06 of the Revised Code and that are specified by the court in its order issued under division (D) of this section. A juvenile court shall not specify an alcohol or drug addiction treatment program in the order unless the program is a certified alcohol and drug addiction treatment program and, except as provided in division (E)(1)(a) of this section, unless the program is located in the county in which the court that issues the orders is located or in a contiguous county. If no certified alcohol and drug addiction treatment program is located in any of those counties, the juvenile court may specify in the order a certified alcohol and drug addiction treatment program located anywhere within this state. The remaining ninety per cent of the proceeds shall be applied as provided in division (E)(1)(b) of this section.

If the property was in the possession of the law enforcement agency other than in relation to a delinquent child proceeding in a juvenile court, all of the proceeds from property disposed of pursuant to this section shall be applied as provided in division (E)(1)(b) of this section.

(b) Except as provided in divisions (D)(4), (5), and (E)(2) of this section and after compliance with division (E)(1)(a) of this section when that division is applicable, the proceeds from property disposed of pursuant to this section shall be placed in the general fund of the state, the county, the township, or the municipal corporation, of which the law enforcement agency involved is an agency.

(2) Each board of county commissioners that recognizes a citizens' reward program as provided in section 9.92 of the Revised Code shall notify each law enforcement agency of that county and each law enforcement agency of a township or municipal corporation wholly located in that county of the official recognition of the citizens' reward program by filing a copy of its resolution conferring that recognition with each of those law enforcement agencies. When the board of county commissioners of a county recognizes a citizens' reward program and the county includes a part, but not all, of the territory of a municipal corporation, the board shall so notify the law enforcement agency of that municipal corporation of the official recognition of the citizens' reward program only if the county contains the highest percentage of the municipal corporation's population. ~~Upon~~ Unless a citizens' reward program has entered into an agreement of affiliation with a board of county commissioners pursuant to division (D) of section 9.92 of the Revised Code, upon receipt of a notice described in this division, each law enforcement agency shall pay twenty-five per cent of the proceeds from each sale of property disposed of pursuant to this section to the citizens' reward program for use exclusively for the payment of rewards. If there is an agreement of affiliation between the citizens' reward program and the board of county commissioners under division (D) of section 9.92 of the Revised Code, each law enforcement agency that receives the notice described in this division may pay twenty-five per cent of the proceeds from each sale of property disposed of pursuant to this section to the citizens' reward program for use exclusively for the payment of rewards. No part of those funds may be used to pay for the administrative expenses or any other expenses associated with a citizens' reward program. If a citizens' reward program that operates in more than one county or in another state or states in addition to this state receives funds pursuant to this section, the funds shall be used to pay rewards only for tips and information to law enforcement agencies concerning felonies, offenses of violence, or misdemeanors that have been committed in the county from which the funds were received.

(F) This section does not apply to the collection, storage, or disposal of abandoned junk motor vehicles. This section shall not be construed to rescind or restrict the authority of a municipal law enforcement agency to keep and dispose of lost, abandoned, stolen, seized, or forfeited property under an ordinance of the municipal corporation or under sections 737.29 to 737.33 of the Revised Code, provided that, when a municipal corporation that has received notice as provided in division (E)(2) of this section disposes of property under an ordinance, it shall pay twenty-five per cent of the proceeds from any sale or auction to the citizens' reward program as

provided under that division.

(G) The receipt of funds by a citizens' reward program pursuant to division (E) of this section does not make it a governmental unit for purposes of section 149.43 of the Revised Code and does not subject it to the disclosure provisions of that section.

(H) This section does not apply to the disposal of stolen or other property recovered by township law enforcement agencies pursuant to sections 505.105 to 505.109 of the Revised Code.

(I)(1) Subject to divisions (D)(1) to (7) of this section, and otherwise notwithstanding the provisions of this section, personal property that is subject to this section and that is abandoned or relinquished by an inmate of a state correctional institution may be destroyed or used by order of the warden of the institution, if either of the following apply:

(a) The value of the item is one hundred dollars or less, the state correctional institution has attempted to contact or identify the owner of the personal property, and those attempts have been unsuccessful.

(b) The inmate who owns the personal property agrees in writing to the disposal of the personal property in question.

(2) The department of rehabilitation and correction shall record the seizure and disposition of any personal property pursuant to division (I)(1) of this section, any attempts to contact or identify the owner of the personal property pursuant to division (I)(1)(a) of this section, and any agreement made pursuant to division (I)(1)(b) of this section.

(J) For purposes of this section, "law enforcement agency" includes correctional institutions, and "citizens' reward program" has the same meaning as in section 9.92 of the Revised Code. As used in division (H) of this section, "township law enforcement agencies" means an organized police department of a township, a township police district, a joint township police district, or the office of a township constable.

Sec. 3313.206. Each board of education that establishes or maintains a ~~block-parent mcgruff house~~ program shall use the ~~block-parent mcgruff house~~ symbol adopted by the division of criminal justice services in the state board of education department of public safety under section ~~3301.076~~ 5502.62 of the Revised Code and instruct volunteers participating in the program to use only that symbol. Each board of education that establishes a ~~block-parent mcgruff house~~ program on or after ~~October 17, 1985~~ July 1, 2007, shall do so in accordance with the rules adopted under section ~~3301.076~~ 5502.62 of the Revised Code. Any chartered nonpublic school within a school district may participate in that district's ~~block-parent mcgruff house~~ program upon furnishing a written statement to the district's board of

education and to the division of criminal justice services in the state board of education department of public safety to the effect that the nonpublic school will abide by the rules of the district's ~~block parent~~ mcgruff house program. A chartered nonpublic school that participates in a school district's ~~block parent~~ mcgruff house program may request technical assistance from the ~~state board~~ division of criminal justice services.

At the request of a board of education, law enforcement authorities with jurisdiction in any of the territory of a school district that maintains a ~~block parent~~ mcgruff house program shall assist the board of education of the district or a participating chartered nonpublic school in checking the criminal records of individuals and families that volunteer to participate in the district's ~~block parent~~ mcgruff house program.

Sec. 5502.61. As used in sections 5502.61 to 5502.66 of the Revised Code:

(A) "Federal criminal justice acts" means any federal law that authorizes financial assistance and other forms of assistance to be given by the federal government to the states to be used for the improvement of the criminal and juvenile justice systems of the states.

(B)(1) "Criminal justice system" includes all of the functions of the following:

(a) The state highway patrol, county sheriff offices, municipal and township police departments, and all other law enforcement agencies;

(b) The courts of appeals, courts of common pleas, municipal courts, county courts, and mayor's courts, when dealing with criminal cases;

(c) The prosecuting attorneys, city directors of law, village solicitors, and other prosecuting authorities when prosecuting or otherwise handling criminal cases, and the county and joint county public defenders and other public defender agencies or offices;

(d) The department of rehabilitation and correction, probation departments, county and municipal jails and workhouses, and any other department, agency, or facility that is concerned with the rehabilitation or correction of criminal offenders;

(e) Any public or private agency whose purposes include the prevention of crime or the diversion, adjudication, detention, or rehabilitation of criminal offenders;

(f) Any public or private agency, the purposes of which include assistance to crime victims or witnesses.

(2) The inclusion of any public or private agency, the purposes of which include assistance to crime victims or witnesses, as part of the criminal justice system pursuant to division (B)(1) of this section does not limit, and

shall not be construed as limiting, the discretion or authority of the attorney general with respect to crime victim assistance and criminal justice programs.

(C) "Juvenile justice system" includes all of the functions of the juvenile courts, the department of youth services, any public or private agency whose purposes include the prevention of delinquency or the diversion, adjudication, detention, or rehabilitation of delinquent children, and any of the functions of the criminal justice system that are applicable to children.

(D) "Comprehensive plan" means a document that coordinates, evaluates, and otherwise assists, on an annual or multi-year basis, any of the functions of the criminal and juvenile justice systems of the state or a specified area of the state, that conforms to the priorities of the state with respect to criminal and juvenile justice systems, and that conforms with the requirements of all federal criminal justice acts. These functions may include, but are not limited to, any of the following:

- (1) Crime and delinquency prevention;
- (2) Identification, detection, apprehension, and detention of persons charged with criminal offenses or delinquent acts;
- (3) Assistance to crime victims or witnesses, except that the comprehensive plan does not include the functions of the attorney general pursuant to sections 109.91 and 109.92 of the Revised Code;
- (4) Adjudication or diversion of persons charged with criminal offenses or delinquent acts;
- (5) Custodial treatment of criminal offenders, delinquent children, or both;
- (6) Institutional and noninstitutional rehabilitation of criminal offenders, delinquent children, or both.

(E) "Metropolitan county criminal justice services agency" means an agency that is established pursuant to division (A) of section 5502.64 of the Revised Code.

(F) "Administrative planning district" means a district that is established pursuant to division (A) or (B) of section 5502.66 of the Revised Code.

(G) "Criminal justice coordinating council" means a criminal justice services agency that is established pursuant to division (D) of section 5502.66 of the Revised Code.

(H) "Local elected official" means any person who is a member of a board of county commissioners or township trustees or of a city or village council, judge of the court of common pleas, a municipal court, or a county court, sheriff, county coroner, prosecuting attorney, city director of law, village solicitor, or mayor.

(I) "Juvenile justice coordinating council" means a juvenile justice services agency that is established pursuant to division (D) of section 5502.66 of the Revised Code.

(J) "Mcgruff house program" means a program in which individuals or families volunteer to have their homes or other buildings serve as places of temporary refuge for children and to display the mcgruff house symbol identifying the home or building as that type of place.

(K) "Mcgruff house symbol" means the symbol that is characterized by the image of "mcgruff," the crime dog, and the slogan "take a bite out of crime," and that has been adopted by the national crime prevention council as the symbol of its national citizens' crime prevention campaign.

(L) "Sponsoring agency" means any of the following:

(1) The board of education of any city, local, or exempted village school district;

(2) The governing board of any educational service center;

(3) The governing authority of any chartered nonpublic school;

(4) The police department of any municipal corporation, township, township police district, or joint township police district;

(5) The office of any township constable or county sheriff.

Sec. 5502.62. (A) There is hereby created in the department of public safety a division of criminal justice services. The director of public safety, with the concurrence of the governor, shall appoint an executive director of the division of criminal justice services. The executive director shall be the head of the division. The executive director shall serve at the pleasure of the director of public safety. To carry out the duties assigned under this section and to comply with sections 5502.63 to 5502.66 of the Revised Code, the executive director, subject to the direction and control of the director of public safety, may appoint and maintain any necessary staff and may enter into any necessary contracts and other agreements. The executive director of the division, and all professional and technical personnel employed within the division who are not public employees as defined in section 4117.01 of the Revised Code, shall be in the unclassified civil service, and all other persons employed within the division shall be in the classified civil service.

(B) Subject to division (F) of this section and subject to divisions (D) to (F) of section 5120.09 of the Revised Code insofar as those divisions relate to federal criminal justice acts that the governor requires the department of rehabilitation and correction to administer, the division of criminal justice services shall do all of the following:

(1) Serve as the state criminal justice services agency and perform criminal justice system planning in the state, including any planning that is

required by any federal law;

(2) Collect, analyze, and correlate information and data concerning the criminal justice system in the state;

(3) Cooperate with and provide technical assistance to state departments, administrative planning districts, metropolitan county criminal justice services agencies, criminal justice coordinating councils, agencies, offices, and departments of the criminal justice system in the state, and other appropriate organizations and persons;

(4) Encourage and assist agencies, offices, and departments of the criminal justice system in the state and other appropriate organizations and persons to solve problems that relate to the duties of the division;

(5) Administer within the state any federal criminal justice acts that the governor requires it to administer;

(6) Administer funds received under the "Family Violence Prevention and Services Act," 98 Stat. 1757 (1984), 42 U.S.C.A. 10401, as amended, with all powers necessary for the adequate administration of those funds, including the authority to establish a family violence prevention and services program;

(7) Implement the state comprehensive plans;

(8) Audit grant activities of agencies, offices, organizations, and persons that are financed in whole or in part by funds granted through the division;

(9) Monitor or evaluate the performance of criminal justice system projects and programs in the state that are financed in whole or in part by funds granted through the division;

(10) Apply for, allocate, disburse, and account for grants that are made available pursuant to federal criminal justice acts, or made available from other federal, state, or private sources, to improve the criminal justice system in the state. Except as otherwise provided in this division, all money from such federal grants shall, if the terms under which the money is received require that the money be deposited into an interest-bearing fund or account, be deposited in the state treasury to the credit of the federal program purposes fund, which is hereby created. All investment earnings of the federal program purposes fund shall be credited to the fund. All money from such federal grants that require that the money be deposited into an interest-bearing fund or account, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes shall be deposited in the state treasury to the credit of the federal justice programs fund, which is hereby created. All investment earnings of the federal justice programs fund shall be credited to the fund and distributed in accordance with the terms of the grant under

which the money is received.

(11) Contract with federal, state, and local agencies, foundations, corporations, businesses, and persons when necessary to carry out the duties of the division;

(12) Oversee the activities of metropolitan county criminal justice services agencies, administrative planning districts, and criminal justice coordinating councils in the state;

(13) Advise the director of public safety, general assembly, and governor on legislation and other significant matters that pertain to the improvement and reform of criminal and juvenile justice systems in the state;

(14) Prepare and recommend legislation to the director of public safety, general assembly, and governor for the improvement of the criminal and juvenile justice systems in the state;

(15) Assist, advise, and make any reports that are requested or required by the governor, director of public safety, attorney general, or general assembly;

(16) Develop and maintain the Ohio incident-based reporting system in accordance with division (C) of this section;

(17) Subject to the approval of the director of public safety, adopt rules pursuant to Chapter 119. of the Revised Code;

(18)(a) Not later than June 1, 2007, and subject to the approval of the director of public safety, adopt rules for the establishment and maintenance of a mcgruff house program by any sponsoring agency. The rules shall include the following:

(i) The adoption of the mcgruff house symbol to be used exclusively in all mcgruff house programs in this state;

(ii) The requirements for any sponsoring agency to establish and maintain a mcgruff house program;

(iii) The criteria for the selection of volunteers to participate in a mcgruff house program that shall include, but not be limited to, criminal background checks of those volunteers;

(iv) Any other matters that the division of criminal justice services considers necessary for the establishment and maintenance of mcgruff house programs by sponsoring agencies and the participation of volunteers in those programs.

(b) The division of criminal justice services shall distribute materials and provide technical assistance to any sponsoring agency that establishes and maintains a mcgruff house program, any volunteer group or organization that provides assistance to that sponsoring agency, or any

volunteer who participates in a mcgruff house program.

(C) The ~~office~~ division of criminal justice services shall develop and maintain the Ohio incident-based reporting system to facilitate the sharing of information with the federal bureau of investigation and participating law enforcement agencies in Ohio. The Ohio incident-based reporting system shall be known as OIBRS. In connection with OIBRS, the ~~office~~ division shall do all of the following:

(1) Collect and organize statistical data for reporting to the national incident-based reporting system operated by the federal bureau of investigation for the purpose of securing federal criminal justice grants;

(2) Analyze and highlight mapping data for participating law enforcement agencies;

(3) Distribute data and analyses to participating law enforcement agencies;

(4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and technical assistance;

(5) Provide assistance, advice, and reports requested by the governor, the general assembly, or the federal bureau of investigation;

(6) Require every law enforcement agency that receives federal criminal justice grants or state criminal justice information system general revenue funds through the ~~office~~ division to participate in OIBRS or in the uniform crime reporting program of the federal bureau of investigation. An agency that submits OIBRS data to the Ohio local law enforcement information sharing network shall be considered to be in compliance with division (C)(6) of this section if both of the following apply:

(a) The Ohio local law enforcement information sharing network is capable of collecting OIBRS data.

(b) The ~~office~~ division of criminal justice services has the ability to extract the OIBRS data for reporting to the national incident-based reporting system in the manner required by the federal bureau of investigation.

(D) Upon the request of the director of public safety or governor, the division of criminal justice services may do any of the following:

(1) Collect, analyze, or correlate information and data concerning the juvenile justice system in the state;

(2) Cooperate with and provide technical assistance to state departments, administrative planning districts, metropolitan county criminal justice service agencies, criminal justice coordinating councils, agency offices, and the departments of the juvenile justice system in the state and other appropriate organizations and persons;

(3) Encourage and assist agencies, offices, and departments of the

juvenile justice system in the state and other appropriate organizations and persons to solve problems that relate to the duties of the division.

(E) Divisions (B), (C), and (D) of this section do not limit the discretion or authority of the attorney general with respect to crime victim assistance and criminal justice programs.

(F) Nothing in this section is intended to diminish or alter the status of the office of the attorney general as a criminal justice services agency or to diminish or alter the status or discourage the development and use of other law enforcement information systems in Ohio.

SECTION 2. That existing sections 2917.46, 2933.41, 3313.206, 5502.61, and 5502.62 and section 3301.076 of the Revised Code are hereby repealed.

SECTION 3. (A) Sections 1 and 2 of this act, except for sections 2933.41, 5502.61, and 5502.62 of the Revised Code, shall take effect July 1, 2007.

(B) Section 2933.41 of the Revised Code, as amended by this act, shall take effect at the earliest time permitted by law.

(C) Sections 5502.61 and 5502.62 of the Revised Code, as amended by this act, shall take effect April 1, 2007.

SECTION 4. (A) On July 1, 2007, the duty of the State Board of Education to adopt rules for the establishment and maintenance of a Block Parent Program and any other responsibilities of the State Board of Education relating to that Program as provided in section 3301.076 of the Revised Code shall cease to exist.

(B) On or after April 1, 2007, but not later than June 1, 2007, the Division of Criminal Justice Services in the Department of Public Safety shall adopt rules for the establishment and maintenance of a McGruff House Program pursuant to sections 5502.61 and 5502.62 of the Revised Code, as amended by this act. The rules adopted by the Division of Criminal Justice Services under this division shall take effect July 1, 2007.

(C)(1) Any Block Parent Program that is established, sponsored, or maintained prior to July 1, 2007, under section 3301.076 or 3313.206 of the Revised Code or any rule adopted by the State Board of Education pursuant to section 3301.076 of the Revised Code and that is in existence on June 30, 2007, shall cease to exist on July 1, 2007. Any chartered nonpublic school, volunteer, agency, or entity that participates in that Block Parent Program under section 3313.206 of the Revised Code or any rule adopted by the State

Board of Education pursuant to section 3301.076 of the Revised Code shall cease to participate in that Program on July 1, 2007.

(2) Not later than June 30, 2007, any municipal or township police department, township police district, county sheriff's department, other law enforcement agency, chartered nonpublic school, volunteer, or entity that is using the Block Parent symbol established by the State Board of Education pursuant to section 3301.076 of the Revised Code or any rule adopted by the State Board of Education pursuant to that section, shall cease to use that symbol and shall remove the symbol or cause its removal from any house or building in which it is displayed by that department, district, agency, school, volunteer, or entity. Except as provided in division (C)(3) of this section, the appropriate department, district, agency, school, volunteer, or entity immediately shall return all of the Block Parent symbols used, displayed, or possessed by it to the appropriate board of education or other entity that under section 3313.206 of the Revised Code or any rule adopted pursuant to section 3301.076 of the Revised Code established, sponsored, or maintained the Block Parent Program in which the symbol was used.

(3) A board of education or other entity to which the Block Parent symbols are returned as provided in division (C)(2) of this section shall destroy all of those returned symbols and any other Block Parent symbols possessed by that board or entity. If a municipal or township police department, township police district, county sheriff's department, other law enforcement agency, chartered nonpublic school, or other entity that is using the Block Parent symbol as provided in division (C)(2) of this section also established or is sponsoring or maintaining the Block Parent Program in which the symbol is used, that department, district, agency, school, or entity shall destroy all of the Block Parent symbols that are used, displayed, or possessed by it. The destruction of all Block Parent symbols pursuant to this division shall be made not later than July 10, 2007.

SECTION 5. Section 181.52 (5502.62) of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 4 and Am. Sub. H.B. 66 of the 126th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____