

**As Introduced**

**127th General Assembly  
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**S. B. No. 248**

**Senator Austria**

**Cosponsors: Senators Bocchieri, Buehrer, Carey, Cates, Coughlin, Faber,  
Gardner, Harris, Jacobson, Mason, Mumper, Padgett, Schaffer, Schuring,  
Spada, Smith**

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**A B I L L**

To amend sections 149.43, 317.24, 317.27, 1315.39, 1  
1315.41, 2313.16, 2921.22, and 3345.01 and to 2  
enact sections 2741.99, 3333.42, 3345.52, and 3  
5913.11 of the Revised Code to exempt certain 4  
armed forces discharges from inspection or copying 5  
as a public record, to prohibit failing to report 6  
the unauthorized use of certain electronic 7  
property to law enforcement authorities, to create 8  
restrictions for check-cashing businesses when 9  
making a loan to certain members of the military, 10  
to excuse certain military persons from jury duty, 11  
to establish a criminal penalty for unlawfully 12  
using a deceased military person's persona, to 13  
establish tuition benefits for certain military 14  
persons, and to create the Ohio Military Medal of 15  
Distinction and the National Guard Youth Challenge 16  
Program Study Committee. 17  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 149.43, 317.24, 317.27, 1315.39, 1315.41, 2313.16, 2921.22, and 3345.01 be amended and sections 2741.99, 3333.42, 3345.52, and 5913.11 of the Revised Code be enacted to read as follows:

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

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

(a) Medical records;

(b) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;

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

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

(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;

(f) Records listed in division (A) of section 3107.42 of the

Revised Code or specified in division (A) of section 3107.52 of	48
the Revised Code;	49
(g) Trial preparation records;	50
(h) Confidential law enforcement investigatory records;	51
(i) Records containing information that is confidential under	52
section 2710.03 or 4112.05 of the Revised Code;	53
(j) DNA records stored in the DNA database pursuant to	54
section 109.573 of the Revised Code;	55
(k) Inmate records released by the department of	56
rehabilitation and correction to the department of youth services	57
or a court of record pursuant to division (E) of section 5120.21	58
of the Revised Code;	59
(l) Records maintained by the department of youth services	60
pertaining to children in its custody released by the department	61
of youth services to the department of rehabilitation and	62
correction pursuant to section 5139.05 of the Revised Code;	63
(m) Intellectual property records;	64
(n) Donor profile records;	65
(o) Records maintained by the department of job and family	66
services pursuant to section 3121.894 of the Revised Code;	67
(p) Peace officer, parole officer, prosecuting attorney,	68
assistant prosecuting attorney, correctional employee, youth	69
services employee, firefighter, or EMT residential and familial	70
information;	71
(q) In the case of a county hospital operated pursuant to	72
Chapter 339. of the Revised Code or a municipal hospital operated	73
pursuant to Chapter 749. of the Revised Code, information that	74
constitutes a trade secret, as defined in section 1333.61 of the	75
Revised Code;	76

(r) Information pertaining to the recreational activities of a person under the age of eighteen;	77 78
(s) Records provided to, statements made by review board members during meetings of, and all work products of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code, other than the report prepared pursuant to section 307.626 of the Revised Code;	79 80 81 82 83
(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;	84 85 86 87
(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of examiners of nursing home administrators administers under section 4751.04 of the Revised Code or contracts under that section with a private or government entity to administer;	88 89 90 91 92
(v) Records the release of which is prohibited by state or federal law;	93 94
(w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;	95 96 97
(x) Information reported and evaluations conducted pursuant to section 3701.072 of the Revised Code;	98 99
(y) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;	100 101 102 103 104 105
<u>(z) Discharges recorded with a county recorder under section</u>	106

317.24 of the Revised Code, as specified in division (B)(2) of 107  
that section. 108

(2) "Confidential law enforcement investigatory record" means 109  
any record that pertains to a law enforcement matter of a 110  
criminal, quasi-criminal, civil, or administrative nature, but 111  
only to the extent that the release of the record would create a 112  
high probability of disclosure of any of the following: 113

(a) The identity of a suspect who has not been charged with 114  
the offense to which the record pertains, or of an information 115  
source or witness to whom confidentiality has been reasonably 116  
promised; 117

(b) Information provided by an information source or witness 118  
to whom confidentiality has been reasonably promised, which 119  
information would reasonably tend to disclose the source's or 120  
witness's identity; 121

(c) Specific confidential investigatory techniques or 122  
procedures or specific investigatory work product; 123

(d) Information that would endanger the life or physical 124  
safety of law enforcement personnel, a crime victim, a witness, or 125  
a confidential information source. 126

(3) "Medical record" means any document or combination of 127  
documents, except births, deaths, and the fact of admission to or 128  
discharge from a hospital, that pertains to the medical history, 129  
diagnosis, prognosis, or medical condition of a patient and that 130  
is generated and maintained in the process of medical treatment. 131

(4) "Trial preparation record" means any record that contains 132  
information that is specifically compiled in reasonable 133  
anticipation of, or in defense of, a civil or criminal action or 134  
proceeding, including the independent thought processes and 135  
personal trial preparation of an attorney. 136

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

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

(7) "Peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT residential and familial information" means any information that discloses any of the following about a peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT:

(a) The address of the actual personal residence of a peace officer, parole officer, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT, except for the state or political subdivision in which the peace officer, parole officer, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT resides;

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

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card

number, or the emergency telephone number of, or any medical 168  
information pertaining to, a peace officer, parole officer, 169  
prosecuting attorney, assistant prosecuting attorney, correctional 170  
employee, youth services employee, firefighter, or EMT; 171

(d) The name of any beneficiary of employment benefits, 172  
including, but not limited to, life insurance benefits, provided 173  
to a peace officer, parole officer, prosecuting attorney, 174  
assistant prosecuting attorney, correctional employee, youth 175  
services employee, firefighter, or EMT by the peace officer's, 176  
parole officer's, prosecuting attorney's, assistant prosecuting 177  
attorney's, correctional employee's, youth services employee's, 178  
firefighter's, or EMT's employer; 179

(e) The identity and amount of any charitable or employment 180  
benefit deduction made by the peace officer's, parole officer's, 181  
prosecuting attorney's, assistant prosecuting attorney's, 182  
correctional employee's, youth services employee's, firefighter's, 183  
or EMT's employer from the peace officer's, parole officer's, 184  
prosecuting attorney's, assistant prosecuting attorney's, 185  
correctional employee's, youth services employee's, firefighter's, 186  
or EMT's compensation unless the amount of the deduction is 187  
required by state or federal law; 188

(f) The name, the residential address, the name of the 189  
employer, the address of the employer, the social security number, 190  
the residential telephone number, any bank account, debit card, 191  
charge card, or credit card number, or the emergency telephone 192  
number of the spouse, a former spouse, or any child of a peace 193  
officer, parole officer, prosecuting attorney, assistant 194  
prosecuting attorney, correctional employee, youth services 195  
employee, firefighter, or EMT; 196

(g) A photograph of a peace officer who holds a position or 197  
has an assignment that may include undercover or plain clothes 198  
positions or assignments as determined by the peace officer's 199

appointing authority. 200

As used in divisions (A)(7) and (B)(9) of this section, 201  
"peace officer" has the same meaning as in section 109.71 of the 202  
Revised Code and also includes the superintendent and troopers of 203  
the state highway patrol; it does not include the sheriff of a 204  
county or a supervisory employee who, in the absence of the 205  
sheriff, is authorized to stand in for, exercise the authority of, 206  
and perform the duties of the sheriff. 207

As used in divisions (A)(7) and (B)(5) of this section, 208  
"correctional employee" means any employee of the department of 209  
rehabilitation and correction who in the course of performing the 210  
employee's job duties has or has had contact with inmates and 211  
persons under supervision. 212

As used in divisions (A)(7) and (B)(5) of this section, 213  
"youth services employee" means any employee of the department of 214  
youth services who in the course of performing the employee's job 215  
duties has or has had contact with children committed to the 216  
custody of the department of youth services. 217

As used in divisions (A)(7) and (B)(9) of this section, 218  
"firefighter" means any regular, paid or volunteer, member of a 219  
lawfully constituted fire department of a municipal corporation, 220  
township, fire district, or village. 221

As used in divisions (A)(7) and (B)(9) of this section, "EMT" 222  
means EMTs-basic, EMTs-I, and paramedics that provide emergency 223  
medical services for a public emergency medical service 224  
organization. "Emergency medical service organization," 225  
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as in 226  
section 4765.01 of the Revised Code. 227

(8) "Information pertaining to the recreational activities of 228  
a person under the age of eighteen" means information that is kept 229  
in the ordinary course of business by a public office, that 230



pertains to the recreational activities of a person under the age	231
of eighteen years, and that discloses any of the following:	232
(a) The address or telephone number of a person under the age	233
of eighteen or the address or telephone number of that person's	234
parent, guardian, custodian, or emergency contact person;	235
(b) The social security number, birth date, or photographic	236
image of a person under the age of eighteen;	237
(c) Any medical record, history, or information pertaining to	238
a person under the age of eighteen;	239
(d) Any additional information sought or required about a	240
person under the age of eighteen for the purpose of allowing that	241
person to participate in any recreational activity conducted or	242
sponsored by a public office or to use or obtain admission	243
privileges to any recreational facility owned or operated by a	244
public office.	245
(9) "Community control sanction" has the same meaning as in	246
section 2929.01 of the Revised Code.	247
(10) "Post-release control sanction" has the same meaning as	248
in section 2967.01 of the Revised Code.	249
(11) "Redaction" means obscuring or deleting any information	250
that is exempt from the duty to permit public inspection or	251
copying from an item that otherwise meets the definition of a	252
"record" in section 149.011 of the Revised Code.	253
(12) "Designee" and "elected official" have the same meanings	254
as in section 109.43 of the Revised Code.	255
(B)(1) Upon request and subject to division (B)(8) of this	256
section, all public records responsive to the request shall be	257
promptly prepared and made available for inspection to any person	258
at all reasonable times during regular business hours. Subject to	259
division (B)(8) of this section, upon request, a public office or	260

person responsible for public records shall make copies of the 261  
requested public record available at cost and within a reasonable 262  
period of time. If a public record contains information that is 263  
exempt from the duty to permit public inspection or to copy the 264  
public record, the public office or the person responsible for the 265  
public record shall make available all of the information within 266  
the public record that is not exempt. When making that public 267  
record available for public inspection or copying that public 268  
record, the public office or the person responsible for the public 269  
record shall notify the requester of any redaction or make the 270  
redaction plainly visible. A redaction shall be deemed a denial of 271  
a request to inspect or copy the redacted information, except if 272  
federal or state law authorizes or requires a public office to 273  
make the redaction. 274

(2) To facilitate broader access to public records, a public 275  
office or the person responsible for public records shall organize 276  
and maintain public records in a manner that they can be made 277  
available for inspection or copying in accordance with division 278  
(B) of this section. A public office also shall have available a 279  
copy of its current records retention schedule at a location 280  
readily available to the public. If a requester makes an ambiguous 281  
or overly broad request or has difficulty in making a request for 282  
copies or inspection of public records under this section such 283  
that the public office or the person responsible for the requested 284  
public record cannot reasonably identify what public records are 285  
being requested, the public office or the person responsible for 286  
the requested public record may deny the request but shall provide 287  
the requester with an opportunity to revise the request by 288  
informing the requester of the manner in which records are 289  
maintained by the public office and accessed in the ordinary 290  
course of the public office's or person's duties. 291

(3) If a request is ultimately denied, in part or in whole, 292

the public office or the person responsible for the requested 293  
public record shall provide the requester with an explanation, 294  
including legal authority, setting forth why the request was 295  
denied. If the initial request was provided in writing, the 296  
explanation also shall be provided to the requester in writing. 297  
The explanation shall not preclude the public office or the person 298  
responsible for the requested public record from relying upon 299  
additional reasons or legal authority in defending an action 300  
commenced under division (C) of this section. 301

(4) Unless specifically required or authorized by state or 302  
federal law or in accordance with division (B) of this section, no 303  
public office or person responsible for public records may limit 304  
or condition the availability of public records by requiring 305  
disclosure of the requester's identity or the intended use of the 306  
requested public record. Any requirement that the requester 307  
disclose the requestor's identity or the intended use of the 308  
requested public record constitutes a denial of the request. 309

(5) A public office or person responsible for public records 310  
may ask a requester to make the request in writing, may ask for 311  
the requester's identity, and may inquire about the intended use 312  
of the information requested, but may do so only after disclosing 313  
to the requester that a written request is not mandatory and that 314  
the requester may decline to reveal the requester's identity or 315  
the intended use and when a written request or disclosure of the 316  
identity or intended use would benefit the requester by enhancing 317  
the ability of the public office or person responsible for public 318  
records to identify, locate, or deliver the public records sought 319  
by the requester. 320

(6) If any person chooses to obtain a copy of a public record 321  
in accordance with division (B) of this section, the public office 322  
or person responsible for the public record may require that 323  
person to pay in advance the cost involved in providing the copy 324

of the public record in accordance with the choice made by the 325  
person seeking the copy under this division. The public office or 326  
the person responsible for the public record shall permit that 327  
person to choose to have the public record duplicated upon paper, 328  
upon the same medium upon which the public office or person 329  
responsible for the public record keeps it, or upon any other 330  
medium upon which the public office or person responsible for the 331  
public record determines that it reasonably can be duplicated as 332  
an integral part of the normal operations of the public office or 333  
person responsible for the public record. When the person seeking 334  
the copy makes a choice under this division, the public office or 335  
person responsible for the public record shall provide a copy of 336  
it in accordance with the choice made by the person seeking the 337  
copy. Nothing in this section requires a public office or person 338  
responsible for the public record to allow the person seeking a 339  
copy of the public record to make the copies of the public record. 340

(7) Upon a request made in accordance with division (B) of 341  
this section and subject to division (B)(6) of this section, a 342  
public office or person responsible for public records shall 343  
transmit a copy of a public record to any person by United States 344  
mail or by any other means of delivery or transmission within a 345  
reasonable period of time after receiving the request for the 346  
copy. The public office or person responsible for the public 347  
record may require the person making the request to pay in advance 348  
the cost of postage if the copy is transmitted by United States 349  
mail or the cost of delivery if the copy is transmitted other than 350  
by United States mail, and to pay in advance the costs incurred 351  
for other supplies used in the mailing, delivery, or transmission. 352

Any public office may adopt a policy and procedures that it 353  
will follow in transmitting, within a reasonable period of time 354  
after receiving a request, copies of public records by United 355  
States mail or by any other means of delivery or transmission 356

pursuant to this division. A public office that adopts a policy 357  
and procedures under this division shall comply with them in 358  
performing its duties under this division. 359

In any policy and procedures adopted under this division, a 360  
public office may limit the number of records requested by a 361  
person that the office will transmit by United States mail to ten 362  
per month, unless the person certifies to the office in writing 363  
that the person does not intend to use or forward the requested 364  
records, or the information contained in them, for commercial 365  
purposes. For purposes of this division, "commercial" shall be 366  
narrowly construed and does not include reporting or gathering 367  
news, reporting or gathering information to assist citizen 368  
oversight or understanding of the operation or activities of 369  
government, or nonprofit educational research. 370

(8) A public office or person responsible for public records 371  
is not required to permit a person who is incarcerated pursuant to 372  
a criminal conviction or a juvenile adjudication to inspect or to 373  
obtain a copy of any public record concerning a criminal 374  
investigation or prosecution or concerning what would be a 375  
criminal investigation or prosecution if the subject of the 376  
investigation or prosecution were an adult, unless the request to 377  
inspect or to obtain a copy of the record is for the purpose of 378  
acquiring information that is subject to release as a public 379  
record under this section and the judge who imposed the sentence 380  
or made the adjudication with respect to the person, or the 381  
judge's successor in office, finds that the information sought in 382  
the public record is necessary to support what appears to be a 383  
justiciable claim of the person. 384

(9) Upon written request made and signed by a journalist on 385  
or after December 16, 1999, a public office, or person responsible 386  
for public records, having custody of the records of the agency 387  
employing a specified peace officer, parole officer, prosecuting 388

attorney, assistant prosecuting attorney, correctional employee, 389  
youth services employee, firefighter, or EMT shall disclose to the 390  
journalist the address of the actual personal residence of the 391  
peace officer, parole officer, prosecuting attorney, assistant 392  
prosecuting attorney, correctional employee, youth services 393  
employee, firefighter, or EMT and, if the peace officer's, parole 394  
officer's, prosecuting attorney's, assistant prosecuting 395  
attorney's, correctional employee's, youth services employee's, 396  
firefighter's, or EMT's spouse, former spouse, or child is 397  
employed by a public office, the name and address of the employer 398  
of the peace officer's, parole officer's, prosecuting attorney's, 399  
assistant prosecuting attorney's, correctional employee's, youth 400  
services employee's, firefighter's, or EMT's spouse, former 401  
spouse, or child. The request shall include the journalist's name 402  
and title and the name and address of the journalist's employer 403  
and shall state that disclosure of the information sought would be 404  
in the public interest. 405

As used in this division, "journalist" means a person engaged 406  
in, connected with, or employed by any news medium, including a 407  
newspaper, magazine, press association, news agency, or wire 408  
service, a radio or television station, or a similar medium, for 409  
the purpose of gathering, processing, transmitting, compiling, 410  
editing, or disseminating information for the general public. 411

(C)(1) If a person allegedly is aggrieved by the failure of a 412  
public office or the person responsible for public records to 413  
promptly prepare a public record and to make it available to the 414  
person for inspection in accordance with division (B) of this 415  
section or by any other failure of a public office or the person 416  
responsible for public records to comply with an obligation in 417  
accordance with division (B) of this section, the person allegedly 418  
aggrieved may commence a mandamus action to obtain a judgment that 419  
orders the public office or the person responsible for the public 420

record to comply with division (B) of this section, that awards 421  
court costs and reasonable attorney's fees to the person that 422  
instituted the mandamus action, and, if applicable, that includes 423  
an order fixing statutory damages under division (C)(1) of this 424  
section. The mandamus action may be commenced in the court of 425  
common pleas of the county in which division (B) of this section 426  
allegedly was not complied with, in the supreme court pursuant to 427  
its original jurisdiction under Section 2 of Article IV, Ohio 428  
Constitution, or in the court of appeals for the appellate 429  
district in which division (B) of this section allegedly was not 430  
complied with pursuant to its original jurisdiction under Section 431  
3 of Article IV, Ohio Constitution. 432

If a requestor transmits a written request by hand delivery 433  
or certified mail to inspect or receive copies of any public 434  
record in a manner that fairly describes the public record or 435  
class of public records to the public office or person responsible 436  
for the requested public records, except as otherwise provided in 437  
this section, the requestor shall be entitled to recover the 438  
amount of statutory damages set forth in this division if a court 439  
determines that the public office or the person responsible for 440  
public records failed to comply with an obligation in accordance 441  
with division (B) of this section. 442

The amount of statutory damages shall be fixed at one hundred 443  
dollars for each business day during which the public office or 444  
person responsible for the requested public records failed to 445  
comply with an obligation in accordance with division (B) of this 446  
section, beginning with the day on which the requester files a 447  
mandamus action to recover statutory damages, up to a maximum of 448  
one thousand dollars. The award of statutory damages shall not be 449  
construed as a penalty, but as compensation for injury arising 450  
from lost use of the requested information. The existence of this 451  
injury shall be conclusively presumed. The award of statutory 452

damages shall be in addition to all other remedies authorized by 453  
this section. 454

The court may reduce an award of statutory damages or not 455  
award statutory damages if the court determines both of the 456  
following: 457

(a) That, based on the ordinary application of statutory law 458  
and case law as it existed at the time of the conduct or 459  
threatened conduct of the public office or person responsible for 460  
the requested public records that allegedly constitutes a failure 461  
to comply with an obligation in accordance with division (B) of 462  
this section and that was the basis of the mandamus action, a 463  
well-informed public office or person responsible for the 464  
requested public records reasonably would believe that the conduct 465  
or threatened conduct of the public office or person responsible 466  
for the requested public records did not constitute a failure to 467  
comply with an obligation in accordance with division (B) of this 468  
section; 469

(b) That a well-informed public office or person responsible 470  
for the requested public records reasonably would believe that the 471  
conduct or threatened conduct of the public office or person 472  
responsible for the requested public records would serve the 473  
public policy that underlies the authority that is asserted as 474  
permitting that conduct or threatened conduct. 475

(2)(a) If the court issues a writ of mandamus that orders the 476  
public office or the person responsible for the public record to 477  
comply with division (B) of this section and determines that the 478  
circumstances described in division (C)(1) of this section exist, 479  
the court shall determine and award to the relator all court 480  
costs. 481

(b) If the court renders a judgment that orders the public 482  
office or the person responsible for the public record to comply 483



with division (B) of this section, the court may award reasonable attorney's fees subject to reduction as described in division (C)(2)(c) of this section. The court shall award reasonable attorney's fees, subject to reduction as described in division (C)(2)(c) of this section when either of the following applies:

(i) The public office or the person responsible for the public records failed to respond affirmatively or negatively to the public records request in accordance with the time allowed under division (B) of this section.

(ii) The public office or the person responsible for the public records promised to permit the relator to inspect or receive copies of the public records requested within a specified period of time but failed to fulfill that promise within that specified period of time.

(c) Court costs and reasonable attorney's fees awarded under this section shall be construed as remedial and not punitive. Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees. The court may reduce an award of attorney's fees to the relator or not award attorney's fees to the relator if the court determines both of the following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to

comply with an obligation in accordance with division (B) of this section; 516  
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(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records as described in division (C)(2)(c)(i) of this section would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct. 518  
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(D) Chapter 1347. of the Revised Code does not limit the provisions of this section. 525  
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(E)(1) To ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. In addition, all public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person, may not limit the number of public records that it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours. 527  
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(2) The public office shall distribute the public records policy adopted by the public office under division (E)(1) of this section to the employee of the public office who is the records 545  
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custodian or records manager or otherwise has custody of the 548  
records of that office. The public office shall require that 549  
employee to acknowledge receipt of the copy of the public records 550  
policy. The public office shall create a poster that describes its 551  
public records policy and shall post the poster in a conspicuous 552  
place in the public office and in all locations where the public 553  
office has branch offices. The public office may post its public 554  
records policy on the internet web site of the public office if 555  
the public office maintains an internet web site. A public office 556  
that has established a manual or handbook of its general policies 557  
and procedures for all employees of the public office shall 558  
include the public records policy of the public office in the 559  
manual or handbook. 560

(F)(1) The bureau of motor vehicles may adopt rules pursuant 561  
to Chapter 119. of the Revised Code to reasonably limit the number 562  
of bulk commercial special extraction requests made by a person 563  
for the same records or for updated records during a calendar 564  
year. The rules may include provisions for charges to be made for 565  
bulk commercial special extraction requests for the actual cost of 566  
the bureau, plus special extraction costs, plus ten per cent. The 567  
bureau may charge for expenses for redacting information, the 568  
release of which is prohibited by law. 569

(2) As used in division (F)(1) of this section: 570

(a) "Actual cost" means the cost of depleted supplies, 571  
records storage media costs, actual mailing and alternative 572  
delivery costs, or other transmitting costs, and any direct 573  
equipment operating and maintenance costs, including actual costs 574  
paid to private contractors for copying services. 575

(b) "Bulk commercial special extraction request" means a 576  
request for copies of a record for information in a format other 577  
than the format already available, or information that cannot be 578  
extracted without examination of all items in a records series, 579

class of records, or data base by a person who intends to use or 580  
forward the copies for surveys, marketing, solicitation, or resale 581  
for commercial purposes. "Bulk commercial special extraction 582  
request" does not include a request by a person who gives 583  
assurance to the bureau that the person making the request does 584  
not intend to use or forward the requested copies for surveys, 585  
marketing, solicitation, or resale for commercial purposes. 586

(c) "Commercial" means profit-seeking production, buying, or 587  
selling of any good, service, or other product. 588

(d) "Special extraction costs" means the cost of the time 589  
spent by the lowest paid employee competent to perform the task, 590  
the actual amount paid to outside private contractors employed by 591  
the bureau, or the actual cost incurred to create computer 592  
programs to make the special extraction. "Special extraction 593  
costs" include any charges paid to a public agency for computer or 594  
records services. 595

(3) For purposes of divisions (F)(1) and (2) of this section, 596  
"surveys, marketing, solicitation, or resale for commercial 597  
purposes" shall be narrowly construed and does not include 598  
reporting or gathering news, reporting or gathering information to 599  
assist citizen oversight or understanding of the operation or 600  
activities of government, or nonprofit educational research. 601

**Sec. 317.24. (A) As used in this section:** 602

(1) "Authorized party" means any of the following: 603

(a) The person who is the subject of the record of discharge. 604

(b) A county veterans service officer, or an 605  
attorney-in-fact, agent, or other representative of the person who 606  
is the subject of the record of discharge, if authorized to 607  
inspect or copy the record of discharge by that person in a power 608  
of attorney or other document. 609

(c) A person authorized, for good cause shown, by a court of record to inspect or copy the record of discharge. 610  
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(d) If the person who is the subject of the record of discharge is deceased, the executor or administrator, or an heir, legatee, or devisee, of the person's estate. 612  
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(2) "Separation code" or "separation program number" means the coded number or numbers used to specify the reasons for a person's separation from active duty, as contained in one of the following: 615  
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(a) Regarding a separation code, as contained in line 23 or 26 of a veteran's discharge paper, United States department of defense form DD-214. 619  
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(b) Regarding a separation program number, as contained in line 9(c) or line 11(c) of a veteran's discharge paper, under prior versions of United States department of defense form DD-214. 622  
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(3) "Service-related document" means any United States department of defense form DD-215 or DD-220, or any National Guard Bureau form NGB-22 or NGB-22A. 625  
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(B)(1) Upon request of any discharged member of the armed forces of the United States and presentation of the member's discharge, the county recorder shall record the discharge in a book to be furnished by the board of county commissioners for that purpose. There shall be no fee for the recording. The record of discharge, or a certified copy of the record, shall be received in evidence in all cases where the original discharge would be received. 628  
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(2)(a) A discharge recorded under division (B)(1) or (D) of this section is not a public record under section 149.43 of the Revised Code for a period of seventy-five years after the date of the recording. During that period, the county recorder's office shall make the record of discharge available for inspection or 636  
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copying only to an authorized party or for inspection only to a 641  
journalist as provided by division (B)(2)(b) of this section. 642  
Except as provided in section 317.27 of the Revised Code, the 643  
authorized party shall pay the reasonable costs of copying the 644  
record of discharge. 645

(b) A journalist may submit to the county recorder's office a 646  
written request to view a discharge record recorded under division 647  
(B)(1) or (D) of this section. The request shall state the 648  
journalist's name and title, state the name and address of the 649  
journalist's employer, and state that the granting of the request 650  
would be in the best interest of the public. If a journalist 651  
submits such a written request, the county recorder's office shall 652  
grant the journalist's request. The journalist shall not copy the 653  
records. 654

~~(B)~~(C) Upon application by a person whose discharge has been 655  
recorded pursuant to this section, the county recorder shall, 656  
without fee, expunge the person's record of discharge, expunge the 657  
person's separation program number or separation code from the 658  
person's record of discharge and from any of the person's other 659  
service-related documents that have been recorded, or expunge the 660  
person's social security number from the person's record of 661  
discharge and from any of the person's other service-related 662  
documents that have been recorded. The application shall be in the 663  
following form: 664

"APPLICATION FOR EXPUNGEMENT 665  
OF DISCHARGE RECORD OR OTHER INFORMATION 666

I, ..... (Name of Applicant), the undersigned, 667  
hereby request the County Recorder of the County of ..... 668  
(Name of County), state of Ohio, to expunge my ..... (Insert 669  
Record of Discharge, Separation Program Number or Separation Code 670  
from my Record of Discharge and other service-related documents, 671  
or Social Security Number from my Record of Discharge and other 672

service-related documents). 673

Dated this ..... day of ....., ..... 674

.....  
(Signature of Applicant)

Sworn to and subscribed before me by ..... (Name of 675

Applicant) on ....., ..... 676

.....

Notary Public 677

My commission expires ....., ....." 678

~~(C) "As used in this section:" 679~~

~~(1) "Separation code" or "separation program number" means 680  
the coded number or numbers used to specify the reasons for a 681  
person's separation from active duty, as contained in one of the 682  
following: 683~~

~~(a) Regarding a separation code, as contained in line 23 or 684  
26 of a veteran's discharge paper, United States department of 685  
defense form DD-214; 686~~

~~(b) Regarding a separation program number, as contained in 687  
line 9 (c) or line 11 (c) of a veteran's discharge paper, under 688  
prior versions of United States department of defense form DD-214. 689~~

~~(2) "Service related document" means any United States 690  
department of defense form DD-215 or DD-220, or any National Guard 691  
Bureau form NGB-22 or NGB-22A. 692~~

(D) Upon the request of any person who served during World 693  
War I or World War II as a member of any armed force of the 694  
government of Poland or Czechoslovakia and participated while so 695  
serving in armed conflict with an enemy of the United States and 696  
who has been a citizen of the United States for at least ten 697  
years, and the presentation of the person's discharge, the county 698  
recorder shall record the person's discharge in a book to be 699

furnished by the board of county commissioners for that purpose. 700  
No fee shall be charged for the recording. The record, or a 701  
certified copy of it, shall be received in evidence in all cases 702  
where the original would be received. 703

**Sec. 317.27.** On demand and tender of the proper fees, the 704  
county recorder shall furnish to any person an accurate, certified 705  
copy of any record in ~~his~~ the recorder's office other than a 706  
record of discharge under section 317.24 of the Revised Code, and 707  
affix ~~his~~ the recorder's official seal thereto. The recorder shall 708  
issue, without charge, upon the request of ~~any discharged member~~ 709  
~~of the armed forces~~ an authorized party, as defined in section 710  
317.24 of the Revised Code, one certified copy or one certified 711  
photostatic copy of the recorded record of discharge under that 712  
section, with the official seal of the county recorder affixed 713  
thereto. 714

Any certified copy of any record, document, or map and any 715  
transcription of records, required or permitted to be made by the 716  
recorder, may be made by any method provided for the making of 717  
records. 718

**Sec. 1315.39.** (A) A check-cashing business licensed under 719  
sections 1315.35 to 1315.44 of the Revised Code may engage in the 720  
business of making loans provided that each loan meets all of the 721  
following conditions: 722

(1) The total amount of the loan does not exceed eight 723  
hundred dollars. 724

(2) The duration of the loan does not exceed six months. 725

(3) The interest on the loan is calculated in compliance 726  
with, and does not exceed the amount permitted by, division (B) of 727  
this section. 728

(4) The loan is made pursuant to a written loan contract that 729



sets forth the terms and conditions of the loan, and discloses in 730  
a clear and concise manner all of the following: 731

(a) The total amount of fees and charges the borrower will be 732  
required to pay in connection with the loan pursuant to the loan 733  
contract; 734

(b) The rate of interest contracted for under the loan 735  
contract, calculated both as an annual percentage rate based 736  
solely on the principal of the loan and as an annual percentage 737  
rate based on the sum of the principal of the loan and the loan 738  
origination fee, check collection charge, and all other fees or 739  
charges contracted for under the loan contract; 740

(c) The total amount of each payment, when each payment is 741  
due, and the total number of payments that the borrower will be 742  
required to make under the loan contract; 743

(d) A statement, printed in boldface type of the minimum size 744  
of ten points, as follows: "WARNING: The rate of interest charged 745  
on this loan is higher than the average rate of interest charged 746  
by financial institutions on substantially similar loans." 747

(5) The loan is not being made to a borrower for purposes of 748  
retiring an existing loan between the check-cashing business and 749  
that borrower, which existing loan was made pursuant to sections 750  
1315.35 to 1315.44 of the Revised Code. 751

(6) If a borrower is a member of the Ohio national guard or 752  
the armed forces of the United States, the check-cashing business 753  
provides written notice of the requirements set forth in division 754  
(F) of section 1315.41 of the Revised Code. 755

(B) A check-cashing business may contract for and receive 756  
interest at a rate of five per cent per month or fraction of a 757  
month on the unpaid principal of a loan made under sections 758  
1315.35 to 1315.44 of the Revised Code. Any unearned interest 759  
shall not be deducted from the proceeds of the loan or paid in 760

advance, and interest shall be computed on the unpaid balance and 761  
shall not be compounded. If, after the first month of the loan 762  
contract, the loan is paid in full before the final date on which 763  
payment is due on the loan pursuant to the loan contract, the 764  
licensee shall refund or credit the borrower with the amount of 765  
the unearned interest for the unexpired period of the loan 766  
contract that follows the date of the borrower's payment in full. 767

**Sec. 1315.41.** No check-cashing business licensed pursuant to 768  
sections 1315.35 to 1315.44 of the Revised Code shall do any of 769  
the following: 770

(A) Violate section 1315.36 of the Revised Code; 771

(B) Make a loan that does not comply with division (A) of 772  
section 1315.39 of the Revised Code; 773

(C) Charge, collect, or receive, directly or indirectly, any 774  
additional fees or charges in connection with a loan, other than 775  
fees and charges permitted by sections 1315.39 and 1315.40 of the 776  
Revised Code and costs or disbursements to which the check-cashing 777  
business may become entitled to by law in connection with any 778  
civil action to collect a loan after default; 779

(D) Collect treble damages pursuant to division (A)(1)(b)(ii) 780  
of section 2307.61 of the Revised Code in connection with any 781  
civil action to collect a loan after a default due to a check, 782  
negotiable order of withdrawal, share draft, or other negotiable 783  
instrument that was returned or dishonored for insufficient funds; 784

(E) Make a loan to a borrower if there exists an outstanding 785  
loan between the check-cashing business and that borrower and if 786  
the outstanding loan was made pursuant to sections 1315.35 to 787  
1315.43 of the Revised Code; 788

(F) If a borrower is a member of the Ohio national guard or 789  
the armed forces of the United States: 790

- (1) Garnish a member's military wage or salary; 791
- (2) For the duration of a member's deployment to a combat or combat support zone, engage in collection activities against the member or the member's spouse; 792  
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- (3) Knowingly contact the member's military chain of command in an effort to collect a loan; 795  
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- (4) Violate the terms of any repayment agreement that the check-cashing business reaches with military counselors or third-party credit counselors on a member's behalf; 797  
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799
- (5) Knowingly make a loan to a member if a military base commander prohibits a member from using the check-cashing business. 800  
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**Sec. 2313.16.** (A) Except as provided by section 2313.13 of the Revised Code, the court of common pleas shall not excuse a person who is liable to serve as a juror and who is drawn and notified, unless it is shown to the satisfaction of the judge by either the juror or another person acquainted with the facts that one or more of the following applies:

(1) The interests of the public will be materially injured by the juror's attendance.

(2) The juror's spouse or a near relative of the juror or the juror's spouse has recently died or is dangerously ill.

(3) The juror is a cloistered member of a religious organization.

(4) The prospective juror has a mental or physical condition that causes the prospective juror to be incapable of performing jury service. The prospective juror, or the prospective juror's personal representative, must provide the court with documentation from a physician licensed to practice medicine verifying that a mental or physical condition renders the prospective juror unfit

for jury service for a period of up to twenty-four months. 821

(5) Jury service would otherwise cause undue or extreme 822  
physical or financial hardship to the prospective juror or a 823  
person under the care or supervision of the prospective juror. A 824  
judge of the court for which the prospective juror was called to 825  
jury service shall make undue or extreme physical or financial 826  
hardship determinations. The judge may delegate the authority to 827  
make these determinations to an appropriate court employee 828  
appointed by the court. 829

(6) The juror is over seventy-five years of age, and the 830  
juror requests to be excused. 831

(7) The prospective juror is an active member of a recognized 832  
amish sect and requests to be excused because of the prospective 833  
juror's sincere belief that as a result of that membership the 834  
prospective juror cannot pass judgment in a judicial matter. 835

(8) The prospective juror is on active duty pursuant to an 836  
executive order of the president of the United States, an act of 837  
the congress of the United States, or section 5919.29 or 5923.21 838  
of the Revised Code. 839

(B)(1) A prospective juror who requests to be excused from 840  
jury service under this section shall take all actions necessary 841  
to obtain a ruling on that request by not later than the date on 842  
which the prospective juror is scheduled to appear for jury duty. 843

(2) A prospective juror who requests to be excused as 844  
provided in division (A)(6) of this section shall inform the 845  
appropriate court employee appointed by the court of the 846  
prospective juror's request to be so excused by not later than the 847  
date on which the prospective juror is scheduled to appear for 848  
jury duty. The prospective juror shall inform that court employee 849  
of the request to be so excused by appearing in person before the 850  
employee or contacting the employee by telephone, in writing, or 851

by electronic mail. 852

(C)(1) For purposes of this section, undue or extreme 853  
physical or financial hardship is limited to circumstances in 854  
which any of the following apply: 855

(a) The prospective juror would be required to abandon a 856  
person under the prospective juror's personal care or supervision 857  
due to the impossibility of obtaining an appropriate substitute 858  
caregiver during the period of participation in the jury pool or 859  
on the jury. 860

(b) The prospective juror would incur costs that would have a 861  
substantial adverse impact on the payment of the prospective 862  
juror's necessary daily living expenses or on those for whom the 863  
prospective juror provides the principal means of support. 864

(c) The prospective juror would suffer physical hardship that 865  
would result in illness or disease. 866

(2) Undue or extreme physical or financial hardship does not 867  
exist solely based on the fact that a prospective juror will be 868  
required to be absent from the prospective juror's place of 869  
employment. 870

(D) A prospective juror who asks a judge to grant an excuse 871  
based on undue or extreme physical or financial hardship shall 872  
provide the judge with documentation that the judge finds to 873  
clearly support the request to be excused. If a prospective juror 874  
fails to provide satisfactory documentation, the court may deny 875  
the request to be excused. 876

(E) When a prospective juror who is liable to serve is 877  
excused in a case specified in this section, the prospective juror 878  
can be excused only by the judge presiding in the case or a 879  
representative of the judge. An excuse, including whether or not 880  
it is a permanent excuse, approved pursuant to this section shall 881  
not extend beyond that term. Every approved excuse shall be 882

recorded and filed with the commissioners of jurors. After 883  
twenty-four months, a person excused from jury service shall 884  
become eligible once again for qualification as a juror unless the 885  
person was excused from service permanently. A person is excused 886  
from jury service permanently only when the deciding judge 887  
determines that the underlying grounds for being excused are of a 888  
permanent nature. 889

Sec. 2741.99. Whoever violates section 2741.02 of the Revised 890  
Code by using any aspect of an individual's persona who is a 891  
deceased member of the Ohio national guard or the armed forces of 892  
the United States is guilty of a misdemeanor of the first degree. 893

Sec. 2921.22. (A) ~~No~~ (1) Except as provided in division 894  
(A)(2) of this section, no person, knowing that a felony has been 895  
or is being committed, shall knowingly fail to report such 896  
information to law enforcement authorities. 897

(2) No person, knowing that a violation of division (B) of 898  
section 2913.04 of the Revised Code has been, or is being 899  
committed or that the person has received information derived from 900  
such a violation, shall knowingly fail to report the violation to 901  
law enforcement authorities. 902

(B) Except for conditions that are within the scope of 903  
division (E) of this section, no physician, limited practitioner, 904  
nurse, or other person giving aid to a sick or injured person 905  
shall negligently fail to report to law enforcement authorities 906  
any gunshot or stab wound treated or observed by the physician, 907  
limited practitioner, nurse, or person, or any serious physical 908  
harm to persons that the physician, limited practitioner, nurse, 909  
or person knows or has reasonable cause to believe resulted from 910  
an offense of violence. 911

(C) No person who discovers the body or acquires the first 912

knowledge of the death of a person shall fail to report the death 913  
immediately to a physician whom the person knows to be treating 914  
the deceased for a condition from which death at such time would 915  
not be unexpected, or to a law enforcement officer, an ambulance 916  
service, an emergency squad, or the coroner in a political 917  
subdivision in which the body is discovered, the death is believed 918  
to have occurred, or knowledge concerning the death is obtained. 919

(D) No person shall fail to provide upon request of the 920  
person to whom a report required by division (C) of this section 921  
was made, or to any law enforcement officer who has reasonable 922  
cause to assert the authority to investigate the circumstances 923  
surrounding the death, any facts within the person's knowledge 924  
that may have a bearing on the investigation of the death. 925

(E)(1) As used in this division, "burn injury" means any of 926  
the following: 927

(a) Second or third degree burns; 928

(b) Any burns to the upper respiratory tract or laryngeal 929  
edema due to the inhalation of superheated air; 930

(c) Any burn injury or wound that may result in death; 931

(d) Any physical harm to persons caused by or as the result 932  
of the use of fireworks, novelties and trick noisemakers, and wire 933  
sparklers, as each is defined by section 3743.01 of the Revised 934  
Code. 935

(2) No physician, nurse, or limited practitioner who, outside 936  
a hospital, sanitarium, or other medical facility, attends or 937  
treats a person who has sustained a burn injury that is inflicted 938  
by an explosion or other incendiary device or that shows evidence 939  
of having been inflicted in a violent, malicious, or criminal 940  
manner shall fail to report the burn injury immediately to the 941  
local arson, or fire and explosion investigation, bureau, if there 942  
is a bureau of this type in the jurisdiction in which the person 943

is attended or treated, or otherwise to local law enforcement 944  
authorities. 945

(3) No manager, superintendent, or other person in charge of 946  
a hospital, sanitarium, or other medical facility in which a 947  
person is attended or treated for any burn injury that is 948  
inflicted by an explosion or other incendiary device or that shows 949  
evidence of having been inflicted in a violent, malicious, or 950  
criminal manner shall fail to report the burn injury immediately 951  
to the local arson, or fire and explosion investigation, bureau, 952  
if there is a bureau of this type in the jurisdiction in which the 953  
person is attended or treated, or otherwise to local law 954  
enforcement authorities. 955

(4) No person who is required to report any burn injury under 956  
division (E)(2) or (3) of this section shall fail to file, within 957  
three working days after attending or treating the victim, a 958  
written report of the burn injury with the office of the state 959  
fire marshal. The report shall comply with the uniform standard 960  
developed by the state fire marshal pursuant to division (A)(15) 961  
of section 3737.22 of the Revised Code. 962

(5) Anyone participating in the making of reports under 963  
division (E) of this section or anyone participating in a judicial 964  
proceeding resulting from the reports is immune from any civil or 965  
criminal liability that otherwise might be incurred or imposed as 966  
a result of such actions. Notwithstanding section 4731.22 of the 967  
Revised Code, the physician-patient relationship is not a ground 968  
for excluding evidence regarding a person's burn injury or the 969  
cause of the burn injury in any judicial proceeding resulting from 970  
a report submitted under division (E) of this section. 971

(F)(1) Any doctor of medicine or osteopathic medicine, 972  
hospital intern or resident, registered or licensed practical 973  
nurse, psychologist, social worker, independent social worker, 974  
social work assistant, professional clinical counselor, or 975



professional counselor who knows or has reasonable cause to 976  
believe that a patient or client has been the victim of domestic 977  
violence, as defined in section 3113.31 of the Revised Code, shall 978  
note that knowledge or belief and the basis for it in the 979  
patient's or client's records. 980

(2) Notwithstanding section 4731.22 of the Revised Code, the 981  
doctor-patient privilege shall not be a ground for excluding any 982  
information regarding the report containing the knowledge or 983  
belief noted under division (F)(1) of this section, and the 984  
information may be admitted as evidence in accordance with the 985  
Rules of Evidence. 986

(G) Divisions (A) and (D) of this section do not require 987  
disclosure of information, when any of the following applies: 988

(1) The information is privileged by reason of the 989  
relationship between attorney and client; doctor and patient; 990  
licensed psychologist or licensed school psychologist and client; 991  
member of the clergy, rabbi, minister, or priest and any person 992  
communicating information confidentially to the member of the 993  
clergy, rabbi, minister, or priest for a religious counseling 994  
purpose of a professional character; husband and wife; or a 995  
communications assistant and those who are a party to a 996  
telecommunications relay service call. 997

(2) The information would tend to incriminate a member of the 998  
actor's immediate family. 999

(3) Disclosure of the information would amount to revealing a 1000  
news source, privileged under section 2739.04 or 2739.12 of the 1001  
Revised Code. 1002

(4) Disclosure of the information would amount to disclosure 1003  
by a member of the ordained clergy of an organized religious body 1004  
of a confidential communication made to that member of the clergy 1005  
in that member's capacity as a member of the clergy by a person 1006

seeking the aid or counsel of that member of the clergy. 1007

(5) Disclosure would amount to revealing information acquired 1008  
by the actor in the course of the actor's duties in connection 1009  
with a bona fide program of treatment or services for drug 1010  
dependent persons or persons in danger of drug dependence, which 1011  
program is maintained or conducted by a hospital, clinic, person, 1012  
agency, or organization certified pursuant to section 3793.06 of 1013  
the Revised Code. 1014

(6) Disclosure would amount to revealing information acquired 1015  
by the actor in the course of the actor's duties in connection 1016  
with a bona fide program for providing counseling services to 1017  
victims of crimes that are violations of section 2907.02 or 1018  
2907.05 of the Revised Code or to victims of felonious sexual 1019  
penetration in violation of former section 2907.12 of the Revised 1020  
Code. As used in this division, "counseling services" include 1021  
services provided in an informal setting by a person who, by 1022  
education or experience, is competent to provide those services. 1023

(H) No disclosure of information pursuant to this section 1024  
gives rise to any liability or recrimination for a breach of 1025  
privilege or confidence. 1026

(I) Whoever violates division (A) or (B) of this section is 1027  
guilty of failure to report a crime. Violation of division (A)(1) 1028  
of this section is a misdemeanor of the fourth degree. Violation 1029  
of division (A)(2) or (B) of this section is a misdemeanor of the 1030  
second degree. 1031

(J) Whoever violates division (C) or (D) of this section is 1032  
guilty of failure to report knowledge of a death, a misdemeanor of 1033  
the fourth degree. 1034

(K)(1) Whoever negligently violates division (E) of this 1035  
section is guilty of a minor misdemeanor. 1036

(2) Whoever knowingly violates division (E) of this section 1037

is guilty of a misdemeanor of the second degree. 1038

Sec. 3333.42. No state institution of higher education, as 1039  
defined in section 3345.011 of the Revised Code, shall charge a 1040  
nonresident student who is a member of the armed forces of the 1041  
United States and who is stationed in this state pursuant to 1042  
military orders, or who is the spouse or dependent child of such a 1043  
student, rates for tuition and fees that are higher than the rates 1044  
charged to an Ohio resident. The chancellor of the Ohio board of 1045  
regents shall not pay a state institution of higher education 1046  
state subsidies for students charged Ohio resident rates under 1047  
this section. 1048

Sec. 3345.01. Except as provided in sections 3333.17 and, 1049  
3333.32, and 3333.42 of the Revised Code, the board of trustees of 1050  
a state university or college, as defined in section 3345.12 of 1051  
the Revised Code, may charge reasonable tuition for the attendance 1052  
of pupils who are nonresidents of Ohio. 1053

Sec. 3345.52. A state institution of higher education, as 1054  
defined in section 3345.011 of the Revised Code, shall discount 1055  
the rates for tuition and fees charged to a student who is a 1056  
member of the Ohio national guard and who is not a scholarship 1057  
recipient under section 5919.34 of the Revised Code, by at least 1058  
fifty per cent of the rates charged to an Ohio resident. The 1059  
chancellor of the Ohio board of regents shall not pay a state 1060  
institution of higher education state subsidies for students 1061  
charged the discounted rates under this section. 1062

Sec. 5913.11. (A) There is hereby created the Ohio military 1063  
medal of distinction. The adjutant general shall design the medal 1064  
and coordinate an eligibility establishment program. An individual 1065  
is eligible for the medal if the individual was killed in the line 1066

<u>of duty while doing one of the following:</u>	1067
<u>(1) Engaging in an action against an enemy of the United States;</u>	1068
<u>(2) Engaging in military operations involving conflict with an opposing foreign force;</u>	1070
<u>(3) Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or</u>	1072
<u>(4) Serving in a combat zone designated by presidential order.</u>	1076
<u>(B) To receive the Ohio military medal of distinction, an individual shall be at least one of the following:</u>	1077
<u>(1) At the time the member was killed in the line of duty:</u>	1078
<u>(a) An Ohio national guard member who is a resident of this state;</u>	1081
<u>(b) A United States military reserves member who is a resident of this state;</u>	1083
<u>(c) A United States armed forces member who is either a resident of this state or stationed in this state by a United States department of defense order.</u>	1086
<u>(2) An Ohio national guard, United States military reserves, or United States armed forces member who attended a public or private educational institution in this state at any time and was killed in the line of duty.</u>	1090
<u>(C) At least once per year, both houses of the general assembly shall obtain a list of eligible medal recipients from the adjutant general and meet in joint convention to recognize the medal recipients for the prior year.</u>	1094
 <b>Section 2.</b> That existing sections 149.43, 317.24, 317.27,	1095

1315.39, 1315.41, 2313.16, 2921.22, and 3345.01 of the Revised Code are hereby repealed. 1096  
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**Section 3.** (A) There is hereby created the National Guard Youth Challenge Program Study Committee. The Committee shall examine and make recommendations on the feasibility of establishing an Ohio National Guard Youth Challenge Program, which is under the United States Secretary of Defense and seeks to improve life skills and employment potential of participants by providing military-based training and supervised work experience, and assists participants in receiving a high school diploma or its equivalent. 1098  
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(B) The committee consists of the following members: 1107

(1) Two members of the Senate appointed by the President of the Senate, each from a different political party; 1108  
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(2) Two members of the House of Representatives appointed by the Speaker of the House of Representatives, each from a different political party; 1110  
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(3) The Director of the Governor's Office of Veterans' Affairs or the director's designee; 1113  
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(4) The Adjutant General or the Adjutant General's designee; 1115

(5) One representative from Ohio State Association of Veterans Service Commissioners; 1116  
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(6) One representative from an Ohio Chapter of the Air Force Association; 1118  
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(7) One representative from the Air Force program for Battelle. 1120  
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The majority party members from the Senate and the House of Representatives shall co-chair the committee. 1122  
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Members shall be appointed not later than sixty days after 1124

the effective date of this section. Vacancies on the committee 1125  
shall be filled in the manner of the initial appointments. 1126

Members shall receive no compensation for their services. 1127

(C) The committee shall issue a report of its findings and 1128  
recommendations to the President of the Senate, the Speaker of the 1129  
House of Representatives, and the Governor not later than sixty 1130  
days after all appointments are made under division (B) of this 1131  
section. The committee ceases to exist upon submitting its report. 1132

**Section 4.** Section 149.43 of the Revised Code is presented in 1133  
this act as a composite of the section as amended by both Sub. 1134  
H.B. 9 and Sub. H.B. 141 of the 126th General Assembly. The 1135  
General Assembly, applying the principle stated in division (B) of 1136  
section 1.52 of the Revised Code that amendments are to be 1137  
harmonized if reasonably capable of simultaneous operation, finds 1138  
that the composite is the resulting version of the section in 1139  
effect prior to the effective date of the section as presented in 1140  
this act. 1141