

As Introduced

**127th General Assembly
Regular Session
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S. B. No. 263

Senator Buehrer

**Cosponsors: Senators Gardner, Mumper, Cates, Schuring, Carey, Schuler,
Faber, Goodman**

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A B I L L

To enact section 2927.05 of the Revised Code to 1
prohibit a person from using a deceased soldier's 2
persona for a commercial purpose without written 3
consent. 4

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

Section 1. That section 2927.05 of the Revised Code be 5
enacted to read as follows: 6

Sec. 2927.05. (A) As used in this section: 7

(1) "Commercial purpose," "persona," and "written consent" 8
have the same meanings as in section 2741.01 of the Revised Code. 9

(2) "Deceased soldier" means an officer or enlisted member of 10
the army, navy, air force, marine corps, or coast guard of the 11
United States, the reserve forces of the United States, the Ohio 12
national guard, the Ohio military reserve, or the Ohio naval 13
militia who dies as a result of injuries sustained in the line of 14
duty. 15

(B) No person shall use any aspect of a deceased soldier's 16
persona for a commercial purpose without obtaining the written 17
consent to use the deceased soldier's persona for a commercial 18

purpose from the deceased soldier or from the deceased soldier's 19
spouse or next of kin. 20

(C) Whoever violates division (B) of this section is guilty 21
of using a deceased soldier's persona for a commercial purpose, a 22
misdemeanor of the first degree. 23

(D) The prosecution of an offender for a violation of this 24
section does not prohibit a person described in section 2741.06 of 25
the Revised Code from bringing a civil action against the offender 26
pursuant to that section for acts that are the basis of the 27
violation of this section of which the offender was convicted. 28