

As Introduced

**128th General Assembly
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H. B. No. 33

Representative Dyer

**Cosponsors: Representatives Hagan, Williams, B., Boyd, Chandler, Harris,
DeBose, Winburn**

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A B I L L

To enact sections 319.64, 3745.25, and 5502.71 of the 1
Revised Code to require law enforcement agencies 2
to report to the Director of Public Safety the 3
location of any real property on which and the 4
vehicle identification number of any motor vehicle 5
in which an illegal methamphetamine manufacturing 6
laboratory has been discovered, to require the 7
Director of Public Safety to maintain on the 8
Department of Public Safety web site a database of 9
properties on which and motor vehicles in which 10
illegal methamphetamine manufacturing laboratories 11
have been discovered, to authorize a county 12
recorder to record an instrument identifying any 13
property that has been included in that database, 14
and to provide a means by which an owner of 15
property or a motor vehicle included in that 16
database may receive certification from the 17
Director of Environmental Protection that the 18
property or motor vehicle has been cleared of 19
methamphetamine residue and have the property or 20
motor vehicle removed from the database. 21

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

Section 1. That sections 319.64, 3745.25, and 5502.71 of the Revised Code be enacted to read as follows:

Sec. 319.64. The county auditor of a county in which is located real property that pursuant to section 5502.71 of the Revised Code has been included in the department of public safety's database of properties on which illegal methamphetamine manufacturing laboratories have been discovered may present to the county recorder for recording an instrument in recordable form that identifies the property and states that an illegal methamphetamine manufacturing laboratory has been discovered on the property. If the county auditor has an instrument of that nature recorded pursuant to this division and after the recording of the instrument receives a certificate or certified copy of a certificate issued by the director of environmental protection pursuant to section 3745.25 of the Revised Code stating that the property has been satisfactorily cleared of methamphetamine residue, the county auditor shall present to the county recorder for recording an instrument in recordable form stating that the property has been cleared of methamphetamine residue to the satisfaction of the director of environmental protection.

Sec. 3745.25. (A) The owner of real property or a motor vehicle that pursuant to section 5502.71 of the Revised Code has been included in the department of public safety's database of properties on which and motor vehicles in which illegal methamphetamine manufacturing laboratories have been discovered may apply to the director of environmental protection for a certificate stating that the property or motor vehicle has been satisfactorily cleared of methamphetamine residue. If the real property or motor vehicle that is the subject of the application

has been satisfactorily cleared of methamphetamine residue in 51
accordance with rules adopted by the director pursuant to division 52
(B) of this section, the director shall issue the certificate for 53
the real property or motor vehicle. 54

(B) The director of environmental protection shall adopt 55
rules for the certification of real property on which or a motor 56
vehicle in which an illegal methamphetamine manufacturing 57
laboratory has been discovered as having been satisfactorily 58
cleared of methamphetamine residue. The director shall adopt the 59
rules pursuant to Chapter 119. of the Revised Code, and the rules 60
shall comport with prevailing national standards for the removal 61
of methamphetamine residue from real property or motor vehicles. 62

Sec. 5502.71. (A) As used in this section, "illegal 63
methamphetamine manufacturing laboratory" has the same meaning as 64
in section 3745.13 of the Revised Code. 65

(B) If a law enforcement agency discovers an illegal 66
methamphetamine manufacturing laboratory, the law enforcement 67
agency that makes the discovery shall inform the director of 68
public safety in writing of the location of the real property on 69
which the laboratory is discovered and provide any other 70
information related to the laboratory or to the property that the 71
director may require. If an illegal methamphetamine manufacturing 72
laboratory is discovered in a room of a hotel, motel, or similar 73
establishment, the law enforcement agency shall inform the 74
director of that room number or the location of that room within 75
the hotel, motel, or similar establishment. 76

(C) If a law enforcement agency discovers an illegal 77
methamphetamine manufacturing laboratory or its components in a 78
motor vehicle, the law enforcement agency that makes the discovery 79
shall inform the director of public safety of the vehicle 80
identification number of the motor vehicle and provide any other 81

information related to the laboratory or components or to the 82
motor vehicle that the director may require. 83

(D) The director of public safety shall establish and 84
maintain on the department's official web site a database of all 85
properties and motor vehicles reported to the director pursuant to 86
division (B) or (C) of this section. The database entry for each 87
motor vehicle shall include the vehicle identification number of 88
the motor vehicle. The database entry for each property shall 89
include the name of the property's owner of record, the parcel 90
number of the property in the general tax list of the county, and 91
other information that would cause the property's inclusion in the 92
database to be discovered through a title search. If an illegal 93
methamphetamine manufacturing laboratory was discovered in the 94
room of a hotel, motel, or similar establishment, the database 95
entry shall include the room number or the location of the room 96
within the hotel, motel, or similar establishment. The director 97
shall remove a property or motor vehicle from the database upon 98
receipt of a certificate or certified copy of a certificate issued 99
by the director of environmental protection pursuant to section 100
3745.25 of the Revised Code stating that the property or motor 101
vehicle has been satisfactorily cleared of methamphetamine residue 102
and shall not remove a property or motor vehicle from the database 103
unless and until the director has received from the director of 104
environmental protection a certificate or certified copy of a 105
certificate of that nature for the property or motor vehicle. 106

(E) The director of public safety shall adopt rules pursuant 107
to Chapter 119. of the Revised Code to implement this section. 108