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Representative Chandler

Cosponsors: Representatives Harris, Weddington, Williams, B., Boyd, Foley, Fende, Domenick, Yuko, Williams, S., Brown, Murray, Ujvagi, Garland, Phillips, Heard, Hagan, Lehner, Okey, Belcher, Blair, Carney, Combs, Daniels, DeBose, Driehaus, Dyer, Evans, Garrison, Gerberry, Goyal, Harwood, Koziura, Letson, Luckie, Newcomb, Oelslager, Pillich, Reece, Sears, Skindell, Snitchler, Stewart, Walter, Winburn

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A B I L L

To amend sections 149.43, 149.45, 319.28, 319.54, 1
2903.213, 2903.214, 3113.31, 3503.15, and 3509.03 2
and to enact sections 111.31, 111.32, 111.321, 3
111.33 to 111.40, 2901.44, and 3503.151 of the 4
Revised Code to establish an address 5
confidentiality program for individuals who 6
reasonably believe that they are in danger of 7
being threatened or physically harmed by another 8
person, to exclude the residential and familial 9
information of a federal law enforcement officer 10
from the definition of a public record, to include 11
federal law enforcement officers among the 12
protected individuals who are authorized to 13
request a public office other than the county 14
auditor to redact the person's address from any 15
record made available to the general public on the 16
internet, and to include those officers among the 17
protected individuals who may request the county 18

auditor to replace the person's name with the 19
person's initials on the general tax list and 20
duplicate. 21

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

Section 1. That sections 149.43, 149.45, 319.28, 319.54, 22
2903.213, 2903.214, 3113.31, 3503.15, and 3509.03 be amended and 23
sections 111.31, 111.32, 111.321, 111.33, 111.34, 111.35, 111.36, 24
111.37, 111.38, 111.39, 111.40, 2901.44, and 3503.151 of the 25
Revised Code be enacted to read as follows: 26

Sec. 111.31. As used in sections 111.31 to 111.40 of the 27
Revised Code: 28

(A) "Address" means a residential street address, school 29
address, or work address of a person as specified on an 30
application to be a program participant under section 111.32 of 31
the Revised Code. 32

(B) "Application assistant" means a person who is designated 33
by the secretary of state to help individuals complete 34
applications to be program participants and who has received 35
training and certification from the secretary of state for that 36
purpose. 37

(C) "Confidential address" means an address that is required 38
to be kept confidential once a program participant is certified 39
under division (C) of section 111.32 of the Revised Code. 40

(D) "Governmental entity" means the state, a political 41
subdivision of the state, or any department, agency, board, 42
commission, or other instrumentality of the state or a political 43
subdivision of the state. 44

(E) "Guardian," "incompetent," "parent," and "ward" have the 45

same meanings as in section 2111.01 of the Revised Code. 46

(F) "Program participant" means a person certified as a 47
program participant under sections 111.31 to 111.40 of the Revised 48
Code. 49

(G) "Shelter for victims of domestic violence" has the same 50
meaning as in section 3113.33 of the Revised Code. 51

(H) "Tier I sex offender/child-victim offender," "tier II sex 52
offender/child-victim offender," and "tier III sex 53
offender/child-victim offender" have the same meanings as in 54
section 2950.01 of the Revised Code. 55

Sec. 111.32. (A) Subject to division (E) of this section, an 56
adult person, a parent, or a guardian acting on behalf of a minor, 57
incompetent, or ward may apply with the assistance of an 58
application assistant to the secretary of state to have an address 59
designated by the secretary of state serve as the person's address 60
or the address of the minor, incompetent, or ward. The secretary 61
of state shall approve an application if it is filed in the manner 62
and on the form prescribed under sections 111.31 to 111.40 of the 63
Revised Code and if it contains all of the following: 64

(1) A sworn statement by the applicant that the applicant 65
fears for the safety of the applicant, the applicant's children, 66
or the minor, incompetent, or ward on whose behalf the application 67
is made and that one or more of the following apply: 68

(a) The applicant provides proof that the applicant, any of 69
the applicant's children, or the minor, incompetent, or ward on 70
whose behalf the application is made is a victim of a violation of 71
section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 72
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 73
2907.09, 2911.211, 2919.22, or 2919.25 of the Revised Code. 74

(b) The applicant provides proof that the applicant, any of 75

the applicant's children, or the minor, incompetent, or ward on 76
whose behalf the application is made has a protection order issued 77
or consent agreement approved under section 2903.213, 2903.214, or 78
3113.31 of the Revised Code or a protection order issued by a 79
court of another state that has been registered under section 80
2919.272 of the Revised Code. 81

(c) The applicant reasonably fears that the applicant, any of 82
the applicant's children, or the minor, incompetent, or ward on 83
whose behalf the application is made is in danger of being 84
threatened or physically harmed by another person. 85

(2) A designation of the secretary of state as the agent for 86
the purposes of receiving service of process and the receipt of 87
mail; 88

(3) The mailing address at which the applicant may be 89
contacted by the secretary of state, and the telephone number or 90
numbers at which the applicant may be called by the secretary of 91
state; 92

(4) The new address or addresses that the applicant requests 93
not be disclosed for the reason that disclosure will increase the 94
risk that the applicant, the applicant's children, or the minor, 95
incompetent, or ward on whose behalf the application is made will 96
be threatened or physically harmed by another person; 97

(5) The signature of the applicant, the name, work address, 98
and signature of the application assistant who assisted the 99
applicant in applying to become a program participant, and the 100
date on which the applicant and application assistant signed the 101
application; 102

(6) The name, occupation if known, and contact information if 103
known of the person the applicant reasonably believes will 104
threaten or physically harm the applicant, the applicant's 105
children, or the minor, incompetent, or ward on whose behalf the 106

application is made. 107

(B) Any person who files an application under division (A) of 108
this section shall file the application with the office of the 109
secretary of state. 110

(C) Upon the filing of a properly completed application, the 111
secretary of state shall certify the applicant or the minor, 112
incompetent, or ward on whose behalf the application is filed as a 113
program participant. The certification of a program participant 114
shall be valid for four years after the date of the filing of the 115
application for the program participant unless the certification 116
is withdrawn or invalidated before the end of that four-year 117
period. A program participant may renew the program participant's 118
certification pursuant to the renewal procedure adopted by the 119
secretary of state under section 111.40 of the Revised Code. 120

(D) No person shall falsely attest in an application that 121
disclosure of the applicant's address would endanger the 122
applicant's safety, the safety of the applicant's children, or the 123
safety of the minor, incompetent, or ward on whose behalf the 124
application is made or knowingly provide false or incorrect 125
information upon making an application. A violation of this 126
prohibition shall be grounds for removal from the address 127
confidentiality program. 128

(E) No tier I sex offender/child-victim offender, tier II sex 129
offender/child-victim offender, or tier III sex 130
offender/child-victim offender is eligible to apply to the 131
secretary of state to have an address designated by the secretary 132
of state serve as the person's address under sections 111.31 to 133
111.40 of the Revised Code. 134

Sec. 111.321. (A) In any criminal action involving a 135
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 136
2903.22, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 137

2907.08, 2907.09, 2911.211, 2919.22, or 2919.25 of the Revised 138
Code, upon the conviction or plea of guilty of the defendant, the 139
court shall notify in writing the victim of the offense if an 140
adult person or a parent or guardian acting on behalf of the 141
victim who is a minor, incompetent, or ward of the right of the 142
person to apply with the assistance of an application assistant to 143
the secretary of state under sections 111.31 to 111.40 of the 144
Revised Code to have an address designated by the secretary of 145
state serve as the person's address or the address of the minor, 146
incompetent, or ward. The person may apply with the assistance of 147
an application assistant to the secretary of state pursuant to 148
those sections to have an address designated by the secretary of 149
state serve as the person's address or the address of the minor, 150
incompetent, or ward. 151

(B) In any proceeding under section 2903.213 of the Revised 152
Code, upon the issuance of a protection order, the court shall 153
notify in writing the person who filed the motion for the 154
protection order of the right of the person to apply with the 155
assistance of an application assistant to the secretary of state 156
under sections 111.31 to 111.40 of the Revised Code to have an 157
address designated by the secretary of state serve as the person's 158
address or the address of the person on whose behalf the 159
protection order was issued. The person who filed the motion for 160
the protection order may apply with the assistance of an 161
application assistant to the secretary of state pursuant to those 162
sections to have an address designated by the secretary of state 163
serve as the person's address or the address of the person on 164
whose behalf the protection order was issued. 165

(C) In any proceeding under section 2903.214 or 3113.31 of 166
the Revised Code, upon the issuance of a protection order or the 167
approval of a consent agreement, the court shall notify in writing 168
the petitioner in the proceeding of the right of the petitioner to 169

apply with the assistance of an application assistant to the 170
secretary of state under sections 111.31 to 111.40 of the Revised 171
Code to have an address designated by the secretary of state serve 172
as the petitioner's address or the address of the person on whose 173
behalf the protection order was issued or the consent agreement 174
was approved. The petitioner may apply with the assistance of an 175
application assistant to the secretary of state pursuant to those 176
sections to have an address designated by the secretary of state 177
serve as the petitioner's address or the address of the person on 178
whose behalf the protection order was issued or the consent 179
agreement was approved. 180

Sec. 111.33. (A) A program participant may request that a 181
governmental entity use the address designated by the secretary of 182
state as the program participant's address. Except as otherwise 183
provided in division (D) of this section, if the program 184
participant requests that a governmental entity use that address, 185
the governmental entity shall accept that address. 186

(B) A program participant may use the address designated by 187
the secretary of state as the program participant's address at the 188
program participant's place of employment. 189

(C)(1) The office of the secretary of state shall daily place 190
all first class mail of a program participant that the secretary 191
of state receives that day into an envelope or package and mail 192
that envelope or package to the program participant at the mailing 193
address of the program participant provided in the program 194
participant's application under section 111.32 of the Revised 195
Code. 196

(2) The secretary of state may contract with the United 197
States postal service to establish special postal rates for the 198
envelopes or packages used in mailing a program participant's 199
first class mail under this section. 200

(D) Division (A) of this section does not apply to a 201
municipal-owned public utility. The confidential addresses of 202
participants of the address confidentiality program that are 203
maintained by a municipal-owned public utility are not a public 204
record and shall not be released by a municipal-owned public 205
utility or by any employee of a municipal-owned public utility. 206

Sec. 111.34. (A) Except as otherwise provided in this 207
section, a program participant who is a qualified elector may vote 208
by absent voter's ballots under Chapter 3509. of the Revised Code. 209
The program participant shall apply to the secretary of state for 210
those ballots using the participant's confidential address. 211
Bipartisan teams of employees of the office of the secretary of 212
state shall determine the precinct in which the program 213
participant resides and the ballot style that the program 214
participant should receive and shall request the program 215
participant absent voter's ballot from the board of elections. The 216
board of elections shall send to the secretary of state the 217
ballots appropriate for the precinct where the participant's true 218
residence is located. The office of the secretary of state shall 219
forward the ballot to the program participant and instruct the 220
program participant to return the program participant's ballot to 221
the office of the secretary of state. Bipartisan teams of 222
employees of the office of the secretary of state shall verify 223
that the program participant is registered and eligible to vote 224
using the secretary of state's participant voter registration 225
system and that the ballot envelope was properly completed before 226
forwarding for tabulation the ballot to the board of elections in 227
the county where the program participant voter resides. The absent 228
voter's ballots provided to program participants shall be referred 229
to as "ACP absent voter's ballots." The board of elections shall 230
accept all ballots forwarded by the secretary of state that are 231
postmarked prior to election day for up to ten days after election 232

day. 233

(B) Each employee of the office of the secretary of state who 234
serves on a bipartisan team that handles program participants' 235
absent voter's ballots shall subscribe to an oath that the 236
employee will faithfully execute the employee's duties to the best 237
of the employee's ability. 238

(C) Except as otherwise provided in sections 111.35 and 239
111.36 of the Revised Code and notwithstanding any provision of 240
sections 3503.15 and 3503.26 or any other section of the Revised 241
Code to the contrary, the secretary of state shall not disclose or 242
make a program participant's voter registration record available 243
for public inspection or copying. A program participant's voter 244
registration record will be subject to a mandatory audit every 245
four years by the auditor of state. The results of that audit are 246
not a public record and shall be kept only by the auditor of state 247
and the secretary of state. 248

(D) "Bipartisan teams" means two designated employees of the 249
office of the secretary of state who are from different political 250
parties. 251

Sec. 111.35. (A) A person may petition the court of common 252
pleas of Franklin county for a hearing to order the secretary of 253
state to make a program participant's confidential address 254
available to the person. 255

(B) Upon the filing of a petition under this section, the 256
court shall fix a date for a hearing on it and require the clerk 257
of the court of common pleas of Franklin county to serve a notice 258
of the date, time, place, and purpose of the hearing upon the 259
petitioner and the program participant. The clerk shall notify by 260
electronic means the secretary of state on behalf of the program 261
participant and shall send the notice by certified mail, return 262
receipt requested, to the participant. 263

(C) Upon receipt of a notice under division (B) of this 264
section by the secretary of state, the secretary of state shall 265
forward by certified mail, return receipt requested, a copy of the 266
individual notice to the program participant at the program 267
participant's confidential address. The return receipt shall be 268
addressed to the clerk of the applicable court of common pleas. 269
The court shall not hear the petition until the clerk receives the 270
return receipt containing proof of service of the notice upon the 271
program participant. 272

(D) At a hearing under this section, the program participant 273
or the program participant's attorney may appear and be heard. 274
After the hearing and considering the testimony, the court shall 275
issue the requested order only if good cause is shown for the 276
order and it appears to the court by clear and convincing evidence 277
that the disclosure of the program participant's confidential 278
address will not increase the risk that the program participant 279
will be threatened or harmed by another person. 280

Sec. 111.36. (A) Notwithstanding any provision of sections 281
3503.15 and 3503.26 or any other section of the Revised Code to 282
the contrary, the secretary of state shall not disclose or make a 283
program participant's confidential address available for 284
inspection or copying, except under the following circumstances: 285

(1)(a) The secretary of state shall disclose a program 286
participant's confidential address to a law enforcement officer, 287
prosecuting attorney, city director of law, or similar chief legal 288
officer, or their designees, acting pursuant to a search warrant, 289
subpoena, or court order. 290

(b) A law enforcement officer may obtain the confidential 291
address of a program participant from an electronic database 292
maintained by the secretary of state under section 111.40 of the 293
Revised Code and accessed through existing electronic databases 294

that are regularly used by law enforcement officers if none of the 295
following applies to the law enforcement officer: 296

(i) The officer is the offender of a violation as described 297
in division (A)(1)(a) of section 111.32 of the Revised Code. 298

(ii) The officer is the person against whom a protection 299
order is issued or a consent agreement is approved as described in 300
division (A)(1)(b) of section 111.32 of the Revised Code. 301

(iii) The officer is the person an applicant reasonably fears 302
as causing the danger of being threatened or physically harmed as 303
described in division (A)(1)(c) of section 111.32 of the Revised 304
Code. 305

(2) If a court orders that a program participant's 306
confidential address be made available to a person under section 307
111.35 of the Revised Code, the secretary of state shall make it 308
available to the person named in the court order. 309

(3) If the secretary of state has canceled a program 310
participant's certification under section 111.37 of the Revised 311
Code, the secretary of state may make the address available for 312
inspection or copying under section 3503.26 of the Revised Code. 313

(B)(1) No person who obtains the confidential address of a 314
program participant from the office of the secretary of state 315
shall, with knowledge that the confidential address is protected 316
in the address confidentiality program established under sections 317
111.31 to 111.40 of the Revised Code, knowingly disclose the 318
confidential address to any person not authorized to receive that 319
confidential address. 320

(2) Division (B)(1) of this section does not apply to either 321
of the following: 322

(a) Any disclosure of the confidential address of a program 323
participant to a law enforcement officer acting within the scope 324

of the officer's duties in the investigation or prosecution of a 325
criminal offense; 326

(b) Any disclosure of the confidential address of a program 327
participant in any grand jury proceeding, any judicial proceeding, 328
or any filing, notice, discovery, motion, or other process 329
incident to a judicial proceeding. 330

(3) Whoever violates division (B)(1) of this section is 331
guilty of a felony of the fifth degree. 332

Sec. 111.37. (A) The secretary of state shall immediately 333
cancel the certification of a program participant under either of 334
the following circumstances: 335

(1) The program participant's application contained one or 336
more false statements. 337

(2) The program participant requests to cease being a program 338
participant. 339

(B) The secretary of state may cancel the certification of a 340
program participant if the program participant's address changes 341
from any address listed on the application made under section 342
111.32 of the Revised Code, unless the program participant or the 343
person who applied for the program on behalf of the program 344
participant provides the secretary of state with written notice of 345
the change of address within five days after the change of address 346
occurs. 347

Sec. 111.38. (A) The secretary of state may designate one or 348
more employees or volunteers of various shelters for victims of 349
domestic violence or other agencies within a county that serve 350
victims of abuse to serve as application assistants for the 351
applicants. 352

(B) Application assistants shall comply with the requirements 353

for training and certification adopted by the secretary of state 354
under section 111.40 of the Revised Code. 355

Sec. 111.39. (A) Notwithstanding any provision of Chapter 356
2743. or any other section of the Revised Code to the contrary, 357
the state and the office of the secretary of state are not liable 358
in damages for injury, death, or loss to person or property that 359
allegedly arises from the performance of the secretary of state's 360
duties under sections 111.31 to 111.40 of the Revised Code. 361
Section 9.86 of the Revised Code applies to all officers and 362
employees of the office of the secretary of state in relation to 363
that performance. 364

(B) Any assistance or counseling rendered to program 365
applicants or program participants by the office of the secretary 366
of state or by certified application assistants is not legal 367
advice. 368

Sec. 111.40. (A) The secretary of state shall adopt rules 369
under Chapter 119. of the Revised Code to facilitate the 370
administration of sections 111.31 to 111.40 of the Revised Code. 371

(B) The secretary of state also shall adopt rules under 372
Chapter 119. of the Revised Code to establish the following: 373

(1) Guidelines for maintaining the confidentiality of the 374
voter registration records of program participants; 375

(2) Requirements for the training and certification of 376
application assistants; 377

(3) The application for certification as a program 378
participant; 379

(4) The procedure for renewal of certification as a program 380
participant. 381

(C) The secretary of state shall prescribe forms necessary 382

for the administration of the address confidentiality program, 383
including, but not limited to, an address confidentiality program 384
identification card. Application assistants and other persons 385
involved in registering participants in the address 386
confidentiality program shall use the forms prescribed by the 387
secretary of state. 388

(D)(1) The secretary of state shall maintain an electronic 389
database that contains the names and confidential addresses of 390
participants in the address confidentiality program and any other 391
information that the secretary of state considers appropriate 392
regarding the participants. Except as otherwise provided in this 393
division, the database is not a public record open for inspection 394
under section 149.43 of the Revised Code. Subject to division 395
(A)(1)(b) of section 111.36 of the Revised Code, any law 396
enforcement officer may access the database to obtain the 397
confidential address of a program participant. 398

(2) The secretary of state and the attorney general shall 399
enter into a memorandum of understanding to make any data 400
pertaining to participants in the address confidentiality program 401
available in a secure manner to law enforcement officers while 402
maintaining a high level of safety for program participants. 403

Sec. 149.43. (A) As used in this section: 404

(1) "Public record" means records kept by any public office, 405
including, but not limited to, state, county, city, village, 406
township, and school district units, and records pertaining to the 407
delivery of educational services by an alternative school in this 408
state kept by the nonprofit or for-profit entity operating the 409
alternative school pursuant to section 3313.533 of the Revised 410
Code. "Public record" does not mean any of the following: 411

(a) Medical records; 412

(b) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;	413 414 415
(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;	416 417 418
(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;	419 420 421
(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;	422 423 424 425 426 427
(f) Records listed in division (A) of section 3107.42 of the Revised Code or specified in division (A) of section 3107.52 of the Revised Code;	428 429 430
(g) Trial preparation records;	431
(h) Confidential law enforcement investigatory records;	432
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	433 434
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	435 436
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	437 438 439 440
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department	441 442

of youth services to the department of rehabilitation and	443
correction pursuant to section 5139.05 of the Revised Code;	444
(m) Intellectual property records;	445
(n) Donor profile records;	446
(o) Records maintained by the department of job and family	447
services pursuant to section 3121.894 of the Revised Code;	448
(p) Peace officer, parole officer, prosecuting attorney,	449
assistant prosecuting attorney, correctional employee, youth	450
services employee, firefighter, EMT, or investigator of the bureau	451
of criminal identification and investigation, <u>or federal law</u>	452
<u>enforcement officer</u> residential and familial information;	453
(q) In the case of a county hospital operated pursuant to	454
Chapter 339. of the Revised Code or a municipal hospital operated	455
pursuant to Chapter 749. of the Revised Code, information that	456
constitutes a trade secret, as defined in section 1333.61 of the	457
Revised Code;	458
(r) Information pertaining to the recreational activities of	459
a person under the age of eighteen;	460
(s) Records provided to, statements made by review board	461
members during meetings of, and all work products of a child	462
fatality review board acting under sections 307.621 to 307.629 of	463
the Revised Code, and child fatality review data submitted by the	464
child fatality review board to the department of health or a	465
national child death review database, other than the report	466
prepared pursuant to division (A) of section 307.626 of the	467
Revised Code;	468
(t) Records provided to and statements made by the executive	469
director of a public children services agency or a prosecuting	470
attorney acting pursuant to section 5153.171 of the Revised Code	471
other than the information released under that section;	472

(u) Test materials, examinations, or evaluation tools used in 473
an examination for licensure as a nursing home administrator that 474
the board of examiners of nursing home administrators administers 475
under section 4751.04 of the Revised Code or contracts under that 476
section with a private or government entity to administer; 477

(v) Records the release of which is prohibited by state or 478
federal law; 479

(w) Proprietary information of or relating to any person that 480
is submitted to or compiled by the Ohio venture capital authority 481
created under section 150.01 of the Revised Code; 482

(x) Information reported and evaluations conducted pursuant 483
to section 3701.072 of the Revised Code; 484

(y) Financial statements and data any person submits for any 485
purpose to the Ohio housing finance agency or the controlling 486
board in connection with applying for, receiving, or accounting 487
for financial assistance from the agency, and information that 488
identifies any individual who benefits directly or indirectly from 489
financial assistance from the agency; 490

(z) Records listed in section 5101.29 of the Revised Code. 491

(aa) Discharges recorded with a county recorder under section 492
317.24 of the Revised Code, as specified in division (B)(2) of 493
that section; 494

(bb) Subject to any provision in sections 111.31 to 111.40 of 495
the Revised Code, the confidential address of a participant of the 496
address confidentiality program, and all of the records pertaining 497
to the address confidentiality program, established under those 498
sections. 499

(2) "Confidential law enforcement investigatory record" means 500
any record that pertains to a law enforcement matter of a 501
criminal, quasi-criminal, civil, or administrative nature, but 502

only to the extent that the release of the record would create a 503
high probability of disclosure of any of the following: 504

(a) The identity of a suspect who has not been charged with 505
the offense to which the record pertains, or of an information 506
source or witness to whom confidentiality has been reasonably 507
promised; 508

(b) Information provided by an information source or witness 509
to whom confidentiality has been reasonably promised, which 510
information would reasonably tend to disclose the source's or 511
witness's identity; 512

(c) Specific confidential investigatory techniques or 513
procedures or specific investigatory work product; 514

(d) Information that would endanger the life or physical 515
safety of law enforcement personnel, a crime victim, a witness, or 516
a confidential information source. 517

(3) "Medical record" means any document or combination of 518
documents, except births, deaths, and the fact of admission to or 519
discharge from a hospital, that pertains to the medical history, 520
diagnosis, prognosis, or medical condition of a patient and that 521
is generated and maintained in the process of medical treatment. 522

(4) "Trial preparation record" means any record that contains 523
information that is specifically compiled in reasonable 524
anticipation of, or in defense of, a civil or criminal action or 525
proceeding, including the independent thought processes and 526
personal trial preparation of an attorney. 527

(5) "Intellectual property record" means a record, other than 528
a financial or administrative record, that is produced or 529
collected by or for faculty or staff of a state institution of 530
higher learning in the conduct of or as a result of study or 531
research on an educational, commercial, scientific, artistic, 532
technical, or scholarly issue, regardless of whether the study or 533

research was sponsored by the institution alone or in conjunction 534
with a governmental body or private concern, and that has not been 535
publicly released, published, or patented. 536

(6) "Donor profile record" means all records about donors or 537
potential donors to a public institution of higher education 538
except the names and reported addresses of the actual donors and 539
the date, amount, and conditions of the actual donation. 540

(7) "Peace officer, parole officer, prosecuting attorney, 541
assistant prosecuting attorney, correctional employee, youth 542
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 543
of criminal identification and investigation, or federal law 544
enforcement officer residential and familial information" means 545
any information that discloses any of the following about a peace 546
officer, parole officer, prosecuting attorney, assistant 547
prosecuting attorney, correctional employee, youth services 548
employee, firefighter, EMT, ~~or~~ investigator of the bureau of 549
criminal identification and investigation, or federal law 550
enforcement officer: 551

(a) The address of the actual personal residence of a peace 552
officer, parole officer, assistant prosecuting attorney, 553
correctional employee, youth services employee, firefighter, EMT, 554
~~or an~~ investigator of the bureau of criminal identification and 555
investigation, or federal law enforcement officer, except for the 556
state or political subdivision in which the peace officer, parole 557
officer, assistant prosecuting attorney, correctional employee, 558
youth services employee, firefighter, EMT, ~~or~~ investigator of the 559
bureau of criminal identification and investigation, or federal 560
law enforcement officer resides; 561

(b) Information compiled from referral to or participation in 562
an employee assistance program; 563

(c) The social security number, the residential telephone 564

number, any bank account, debit card, charge card, or credit card 565
number, or the emergency telephone number of, or any medical 566
information pertaining to, a peace officer, parole officer, 567
prosecuting attorney, assistant prosecuting attorney, correctional 568
employee, youth services employee, firefighter, EMT, ~~or~~ 569
investigator of the bureau of criminal identification and 570
investigation, or federal law enforcement officer; 571

(d) The name of any beneficiary of employment benefits, 572
including, but not limited to, life insurance benefits, provided 573
to a peace officer, parole officer, prosecuting attorney, 574
assistant prosecuting attorney, correctional employee, youth 575
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 576
of criminal identification and investigation, or federal law 577
enforcement officer by the peace officer's, parole officer's, 578
prosecuting attorney's, assistant prosecuting attorney's, 579
correctional employee's, youth services employee's, firefighter's, 580
EMT's, ~~or~~ investigator of the bureau of criminal identification 581
and investigation's, or federal law enforcement officer's 582
employer; 583

(e) The identity and amount of any charitable or employment 584
benefit deduction made by the peace officer's, parole officer's, 585
prosecuting attorney's, assistant prosecuting attorney's, 586
correctional employee's, youth services employee's, firefighter's, 587
EMT's, ~~or~~ investigator of the bureau of criminal identification 588
and investigation's, or federal law enforcement officer's employer 589
from the peace officer's, parole officer's, prosecuting 590
attorney's, assistant prosecuting attorney's, correctional 591
employee's, youth services employee's, firefighter's, EMT's, ~~or~~ 592
investigator of the bureau of criminal identification and 593
investigation's, or federal law enforcement officer's compensation 594
unless the amount of the deduction is required by state or federal 595
law; 596

(f) The name, the residential address, the name of the employer, the address of the employer, 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 the spouse, a former spouse, or any child of a peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer;

(g) A photograph of a peace officer or federal law enforcement officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's or federal law enforcement officer's appointing authority.

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

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

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

As used in divisions (A)(7) and (B)(9) of this section, 629
"firefighter" means any regular, paid or volunteer, member of a 630
lawfully constituted fire department of a municipal corporation, 631
township, fire district, or village. 632

As used in divisions (A)(7) and (B)(9) of this section, "EMT" 633
means EMTs-basic, EMTs-I, and paramedics that provide emergency 634
medical services for a public emergency medical service 635
organization. "Emergency medical service organization," 636
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as in 637
section 4765.01 of the Revised Code. 638

As used in divisions (A)(7) and (B)(9) of this section, 639
"investigator of the bureau of criminal identification and 640
investigation" has the meaning defined in section 2903.11 of the 641
Revised Code. 642

As used in divisions (A)(7) and (B)(9) of this section, 643
"federal law enforcement officer" means any officer of the United 644
States who is authorized by federal law to conduct any 645
investigation of, and make any arrest for, any offense against the 646
United States in violation of federal law. 647

(8) "Information pertaining to the recreational activities of 648
a person under the age of eighteen" means information that is kept 649
in the ordinary course of business by a public office, that 650
pertains to the recreational activities of a person under the age 651
of eighteen years, and that discloses any of the following: 652

(a) The address or telephone number of a person under the age 653
of eighteen or the address or telephone number of that person's 654
parent, guardian, custodian, or emergency contact person; 655

(b) The social security number, birth date, or photographic 656
image of a person under the age of eighteen; 657

(c) Any medical record, history, or information pertaining to 658
a person under the age of eighteen; 659

(d) Any additional information sought or required about a 660
person under the age of eighteen for the purpose of allowing that 661
person to participate in any recreational activity conducted or 662
sponsored by a public office or to use or obtain admission 663
privileges to any recreational facility owned or operated by a 664
public office. 665

(9) "Community control sanction" has the same meaning as in 666
section 2929.01 of the Revised Code. 667

(10) "Post-release control sanction" has the same meaning as 668
in section 2967.01 of the Revised Code. 669

(11) "Redaction" means obscuring or deleting any information 670
that is exempt from the duty to permit public inspection or 671
copying from an item that otherwise meets the definition of a 672
"record" in section 149.011 of the Revised Code. 673

(12) "Designee" and "elected official" have the same meanings 674
as in section 109.43 of the Revised Code. 675

(B)(1) Upon request and subject to division (B)(8) of this 676
section, all public records responsive to the request shall be 677
promptly prepared and made available for inspection to any person 678
at all reasonable times during regular business hours. Subject to 679
division (B)(8) of this section, upon request, a public office or 680
person responsible for public records shall make copies of the 681
requested public record available at cost and within a reasonable 682
period of time. If a public record contains information that is 683
exempt from the duty to permit public inspection or to copy the 684
public record, the public office or the person responsible for the 685
public record shall make available all of the information within 686
the public record that is not exempt. When making that public 687
record available for public inspection or copying that public 688
record, the public office or the person responsible for the public 689
record shall notify the requester of any redaction or make the 690

redaction plainly visible. A redaction shall be deemed a denial of 691
a request to inspect or copy the redacted information, except if 692
federal or state law authorizes or requires a public office to 693
make the redaction. 694

(2) To facilitate broader access to public records, a public 695
office or the person responsible for public records shall organize 696
and maintain public records in a manner that they can be made 697
available for inspection or copying in accordance with division 698
(B) of this section. A public office also shall have available a 699
copy of its current records retention schedule at a location 700
readily available to the public. If a requester makes an ambiguous 701
or overly broad request or has difficulty in making a request for 702
copies or inspection of public records under this section such 703
that the public office or the person responsible for the requested 704
public record cannot reasonably identify what public records are 705
being requested, the public office or the person responsible for 706
the requested public record may deny the request but shall provide 707
the requester with an opportunity to revise the request by 708
informing the requester of the manner in which records are 709
maintained by the public office and accessed in the ordinary 710
course of the public office's or person's duties. 711

(3) If a request is ultimately denied, in part or in whole, 712
the public office or the person responsible for the requested 713
public record shall provide the requester with an explanation, 714
including legal authority, setting forth why the request was 715
denied. If the initial request was provided in writing, the 716
explanation also shall be provided to the requester in writing. 717
The explanation shall not preclude the public office or the person 718
responsible for the requested public record from relying upon 719
additional reasons or legal authority in defending an action 720
commenced under division (C) of this section. 721

(4) Unless specifically required or authorized by state or 722

federal law or in accordance with division (B) of this section, no 723
public office or person responsible for public records may limit 724
or condition the availability of public records by requiring 725
disclosure of the requester's identity or the intended use of the 726
requested public record. Any requirement that the requester 727
disclose the requestor's identity or the intended use of the 728
requested public record constitutes a denial of the request. 729

(5) A public office or person responsible for public records 730
may ask a requester to make the request in writing, may ask for 731
the requester's identity, and may inquire about the intended use 732
of the information requested, but may do so only after disclosing 733
to the requester that a written request is not mandatory and that 734
the requester may decline to reveal the requester's identity or 735
the intended use and when a written request or disclosure of the 736
identity or intended use would benefit the requester by enhancing 737
the ability of the public office or person responsible for public 738
records to identify, locate, or deliver the public records sought 739
by the requester. 740

(6) If any person chooses to obtain a copy of a public record 741
in accordance with division (B) of this section, the public office 742
or person responsible for the public record may require that 743
person to pay in advance the cost involved in providing the copy 744
of the public record in accordance with the choice made by the 745
person seeking the copy under this division. The public office or 746
the person responsible for the public record shall permit that 747
person to choose to have the public record duplicated upon paper, 748
upon the same medium upon which the public office or person 749
responsible for the public record keeps it, or upon any other 750
medium upon which the public office or person responsible for the 751
public record determines that it reasonably can be duplicated as 752
an integral part of the normal operations of the public office or 753
person responsible for the public record. When the person seeking 754

the copy makes a choice under this division, the public office or 755
person responsible for the public record shall provide a copy of 756
it in accordance with the choice made by the person seeking the 757
copy. Nothing in this section requires a public office or person 758
responsible for the public record to allow the person seeking a 759
copy of the public record to make the copies of the public record. 760

(7) Upon a request made in accordance with division (B) of 761
this section and subject to division (B)(6) of this section, a 762
public office or person responsible for public records shall 763
transmit a copy of a public record to any person by United States 764
mail or by any other means of delivery or transmission within a 765
reasonable period of time after receiving the request for the 766
copy. The public office or person responsible for the public 767
record may require the person making the request to pay in advance 768
the cost of postage if the copy is transmitted by United States 769
mail or the cost of delivery if the copy is transmitted other than 770
by United States mail, and to pay in advance the costs incurred 771
for other supplies used in the mailing, delivery, or transmission. 772

Any public office may adopt a policy and procedures that it 773
will follow in transmitting, within a reasonable period of time 774
after receiving a request, copies of public records by United 775
States mail or by any other means of delivery or transmission 776
pursuant to this division. A public office that adopts a policy 777
and procedures under this division shall comply with them in 778
performing its duties under this division. 779

In any policy and procedures adopted under this division, a 780
public office may limit the number of records requested by a 781
person that the office will transmit by United States mail to ten 782
per month, unless the person certifies to the office in writing 783
that the person does not intend to use or forward the requested 784
records, or the information contained in them, for commercial 785
purposes. For purposes of this division, "commercial" shall be 786

narrowly construed and does not include reporting or gathering 787
news, reporting or gathering information to assist citizen 788
oversight or understanding of the operation or activities of 789
government, or nonprofit educational research. 790

(8) A public office or person responsible for public records 791
is not required to permit a person who is incarcerated pursuant to 792
a criminal conviction or a juvenile adjudication to inspect or to 793
obtain a copy of any public record concerning a criminal 794
investigation or prosecution or concerning what would be a 795
criminal investigation or prosecution if the subject of the 796
investigation or prosecution were an adult, unless the request to 797
inspect or to obtain a copy of the record is for the purpose of 798
acquiring information that is subject to release as a public 799
record under this section and the judge who imposed the sentence 800
or made the adjudication with respect to the person, or the 801
judge's successor in office, finds that the information sought in 802
the public record is necessary to support what appears to be a 803
justiciable claim of the person. 804

(9) Upon written request made and signed by a journalist on 805
or after December 16, 1999, a public office, or person responsible 806
for public records, having custody of the records of the agency 807
employing a specified peace officer, parole officer, prosecuting 808
attorney, assistant prosecuting attorney, correctional employee, 809
youth services employee, firefighter, EMT, ~~or~~ investigator of the 810
bureau of criminal identification and investigation, or federal 811
law enforcement officer shall disclose to the journalist the 812
address of the actual personal residence of the peace officer, 813
parole officer, prosecuting attorney, assistant prosecuting 814
attorney, correctional employee, youth services employee, 815
firefighter, EMT, ~~or~~ investigator of the bureau of criminal 816
identification and investigation, or federal law enforcement 817
officer and, if the peace officer's, parole officer's, prosecuting 818

attorney's, assistant prosecuting attorney's, correctional 819
employee's, youth services employee's, firefighter's, EMT's, ~~or~~ 820
investigator of the bureau of criminal identification and 821
investigation's, or federal law enforcement officer's spouse, 822
former spouse, or child is employed by a public office, the name 823
and address of the employer of the peace officer's, parole 824
officer's, prosecuting attorney's, assistant prosecuting 825
attorney's, correctional employee's, youth services employee's, 826
firefighter's, EMT's, ~~or~~ investigator of the bureau of criminal 827
identification and investigation's, or federal law enforcement 828
officer's spouse, former spouse, or child. The request shall 829
include the journalist's name and title and the name and address 830
of the journalist's employer and shall state that disclosure of 831
the information sought would be in the public interest. 832

As used in this division, "journalist" means a person engaged 833
in, connected with, or employed by any news medium, including a 834
newspaper, magazine, press association, news agency, or wire 835
service, a radio or television station, or a similar medium, for 836
the purpose of gathering, processing, transmitting, compiling, 837
editing, or disseminating information for the general public. 838

(C)(1) If a person allegedly is aggrieved by the failure of a 839
public office or the person responsible for public records to 840
promptly prepare a public record and to make it available to the 841
person for inspection in accordance with division (B) of this 842
section or by any other failure of a public office or the person 843
responsible for public records to comply with an obligation in 844
accordance with division (B) of this section, the person allegedly 845
aggrieved may commence a mandamus action to obtain a judgment that 846
orders the public office or the person responsible for the public 847
record to comply with division (B) of this section, that awards 848
court costs and reasonable attorney's fees to the person that 849
instituted the mandamus action, and, if applicable, that includes 850

an order fixing statutory damages under division (C)(1) of this 851
section. The mandamus action may be commenced in the court of 852
common pleas of the county in which division (B) of this section 853
allegedly was not complied with, in the supreme court pursuant to 854
its original jurisdiction under Section 2 of Article IV, Ohio 855
Constitution, or in the court of appeals for the appellate 856
district in which division (B) of this section allegedly was not 857
complied with pursuant to its original jurisdiction under Section 858
3 of Article IV, Ohio Constitution. 859

If a requestor transmits a written request by hand delivery 860
or certified mail to inspect or receive copies of any public 861
record in a manner that fairly describes the public record or 862
class of public records to the public office or person responsible 863
for the requested public records, except as otherwise provided in 864
this section, the requestor shall be entitled to recover the 865
amount of statutory damages set forth in this division if a court 866
determines that the public office or the person responsible for 867
public records failed to comply with an obligation in accordance 868
with division (B) of this section. 869

The amount of statutory damages shall be fixed at one hundred 870
dollars for each business day during which the public office or 871
person responsible for the requested public records failed to 872
comply with an obligation in accordance with division (B) of this 873
section, beginning with the day on which the requester files a 874
mandamus action to recover statutory damages, up to a maximum of 875
one thousand dollars. The award of statutory damages shall not be 876
construed as a penalty, but as compensation for injury arising 877
from lost use of the requested information. The existence of this 878
injury shall be conclusively presumed. The award of statutory 879
damages shall be in addition to all other remedies authorized by 880
this section. 881

The court may reduce an award of statutory damages or not 882

award statutory damages if the court determines both of the 883
following: 884

(a) That, based on the ordinary application of statutory law 885
and case law as it existed at the time of the conduct or 886
threatened conduct of the public office or person responsible for 887
the requested public records that allegedly constitutes a failure 888
to comply with an obligation in accordance with division (B) of 889
this section and that was the basis of the mandamus action, a 890
well-informed public office or person responsible for the 891
requested public records reasonably would believe that the conduct 892
or threatened conduct of the public office or person responsible 893
for the requested public records did not constitute a failure to 894
comply with an obligation in accordance with division (B) of this 895
section; 896

(b) That a well-informed public office or person responsible 897
for the requested public records reasonably would believe that the 898
conduct or threatened conduct of the public office or person 899
responsible for the requested public records would serve the 900
public policy that underlies the authority that is asserted as 901
permitting that conduct or threatened conduct. 902

(2)(a) If the court issues a writ of mandamus that orders the 903
public office or the person responsible for the public record to 904
comply with division (B) of this section and determines that the 905
circumstances described in division (C)(1) of this section exist, 906
the court shall determine and award to the relator all court 907
costs. 908

(b) If the court renders a judgment that orders the public 909
office or the person responsible for the public record to comply 910
with division (B) of this section, the court may award reasonable 911
attorney's fees subject to reduction as described in division 912
(C)(2)(c) of this section. The court shall award reasonable 913
attorney's fees, subject to reduction as described in division 914

(C)(2)(c) of this section when either of the following applies: 915

(i) The public office or the person responsible for the 916
public records failed to respond affirmatively or negatively to 917
the public records request in accordance with the time allowed 918
under division (B) of this section. 919

(ii) The public office or the person responsible for the 920
public records promised to permit the relator to inspect or 921
receive copies of the public records requested within a specified 922
period of time but failed to fulfill that promise within that 923
specified period of time. 924

(c) Court costs and reasonable attorney's fees awarded under 925
this section shall be construed as remedial and not punitive. 926
Reasonable attorney's fees shall include reasonable fees incurred 927
to produce proof of the reasonableness and amount of the fees and 928
to otherwise litigate entitlement to the fees. The court may 929
reduce an award of attorney's fees to the relator or not award 930
attorney's fees to the relator if the court determines both of the 931
following: 932

(i) That, based on the ordinary application of statutory law 933
and case law as it existed at the time of the conduct or 934
threatened conduct of the public office or person responsible for 935
the requested public records that allegedly constitutes a failure 936
to comply with an obligation in accordance with division (B) of 937
this section and that was the basis of the mandamus action, a 938
well-informed public office or person responsible for the 939
requested public records reasonably would believe that the conduct 940
or threatened conduct of the public office or person responsible 941
for the requested public records did not constitute a failure to 942
comply with an obligation in accordance with division (B) of this 943
section; 944

(ii) That a well-informed public office or person responsible 945

for the requested public records reasonably would believe that the 946
conduct or threatened conduct of the public office or person 947
responsible for the requested public records as described in 948
division (C)(2)(c)(i) of this section would serve the public 949
policy that underlies the authority that is asserted as permitting 950
that conduct or threatened conduct. 951

(D) Chapter 1347. of the Revised Code does not limit the 952
provisions of this section. 953

(E)(1) To ensure that all employees of public offices are 954
appropriately educated about a public office's obligations under 955
division (B) of this section, all elected officials or their 956
appropriate designees shall attend training approved by the 957
attorney general as provided in section 109.43 of the Revised 958
Code. In addition, all public offices shall adopt a public records 959
policy in compliance with this section for responding to public 960
records requests. In adopting a public records policy under this 961
division, a public office may obtain guidance from the model 962
public records policy developed and provided to the public office 963
by the attorney general under section 109.43 of the Revised Code. 964
Except as otherwise provided in this section, the policy may not 965
limit the number of public records that the public office will 966
make available to a single person, may not limit the number of 967
public records that it will make available during a fixed period 968
of time, and may not establish a fixed period of time before it 969
will respond to a request for inspection or copying of public 970
records, unless that period is less than eight hours. 971

(2) The public office shall distribute the public records 972
policy adopted by the public office under division (E)(1) of this 973
section to the employee of the public office who is the records 974
custodian or records manager or otherwise has custody of the 975
records of that office. The public office shall require that 976
employee to acknowledge receipt of the copy of the public records 977

policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

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

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

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

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or data base by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction

request" does not include a request by a person who gives 1010
assurance to the bureau that the person making the request does 1011
not intend to use or forward the requested copies for surveys, 1012
marketing, solicitation, or resale for commercial purposes. 1013

(c) "Commercial" means profit-seeking production, buying, or 1014
selling of any good, service, or other product. 1015

(d) "Special extraction costs" means the cost of the time 1016
spent by the lowest paid employee competent to perform the task, 1017
the actual amount paid to outside private contractors employed by 1018
the bureau, or the actual cost incurred to create computer 1019
programs to make the special extraction. "Special extraction 1020
costs" include any charges paid to a public agency for computer or 1021
records services. 1022

(3) For purposes of divisions (F)(1) and (2) of this section, 1023
"surveys, marketing, solicitation, or resale for commercial 1024
purposes" shall be narrowly construed and does not include 1025
reporting or gathering news, reporting or gathering information to 1026
assist citizen oversight or understanding of the operation or 1027
activities of government, or nonprofit educational research. 1028

Sec. 149.45. (A) As used in this section: 1029

(1) "Personal information" means any of the following: 1030

(a) An individual's social security number; 1031

(b) An individual's federal tax identification number; 1032

(c) An individual's driver's license number or state 1033
identification number; 1034

(d) An individual's checking account number, savings account 1035
number, or credit card number. 1036

(2) "Public record" and "peace officer, parole officer, 1037
prosecuting attorney, assistant prosecuting attorney, correctional 1038

employee, youth services employee, firefighter, EMT, ~~or~~ 1039
investigator of the bureau of criminal identification and 1040
investigation, or federal law enforcement officer residential and 1041
familial information" have the same meanings as in section 149.43 1042
of the Revised Code. 1043

(3) "Truncate" means to redact all but the last four digits 1044
of an individual's social security number. 1045

(4) "Federal law enforcement officer" means any officer of 1046
the United States who is authorized by federal law to conduct any 1047
investigation of, and make any arrest for, any offense against the 1048
United States in violation of federal law. 1049

(B)(1) No public office or person responsible for a public 1050
office's public records shall make available to the general public 1051
on the internet any document that contains an individual's social 1052
security number without otherwise redacting, encrypting, or 1053
truncating the social security number. 1054

(2) A public office or person responsible for a public 1055
office's public records that prior to the effective date of this 1056
section made available to the general public on the internet any 1057
document that contains an individual's social security number 1058
shall redact, encrypt, or truncate the social security number from 1059
that document. 1060

(3) Divisions (B)(1) and (2) of this section do not apply to 1061
documents that are only accessible through the internet with a 1062
password. 1063

(C)(1) An individual may request that a public office or a 1064
person responsible for a public office's public records redact 1065
personal information of that individual from any record made 1066
available to the general public on the internet. An individual who 1067
makes a request for redaction pursuant to this division shall make 1068
the request in writing on a form developed by the attorney general 1069

and shall specify the personal information to be redacted and 1070
provide any information that identifies the location of that 1071
personal information within a document that contains that personal 1072
information. 1073

(2) Upon receiving a request for a redaction pursuant to 1074
division (C)(1) of this section, a public office or a person 1075
responsible for a public office's public records shall act within 1076
five business days in accordance with the request to redact the 1077
personal information of the individual from any record made 1078
available to the general public on the internet, if practicable. 1079
If a redaction is not practicable, the public office or person 1080
responsible for the public office's public records shall verbally 1081
or in writing within five business days after receiving the 1082
written request explain to the individual why the redaction is 1083
impracticable. 1084

(3) The attorney general shall develop a form to be used by 1085
an individual to request a redaction pursuant to division (C)(1) 1086
of this section. The form shall include a place to provide any 1087
information that identifies the location of the personal 1088
information to be redacted. 1089

(D)(1) A peace officer, parole officer, prosecuting attorney, 1090
assistant prosecuting attorney, correctional employee, youth 1091
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 1092
of criminal identification and investigation, or federal law 1093
enforcement officer may request that a public office other than a 1094
county auditor or a person responsible for the public records of a 1095
public office other than a county auditor redact the address of 1096
the person making the request from any record made available to 1097
the general public on the internet that includes peace officer, 1098
parole officer, prosecuting attorney, assistant prosecuting 1099
attorney, correctional employee, youth services employee, 1100
firefighter, EMT, ~~or~~ investigator of the bureau of criminal 1101

identification and investigation, or federal law enforcement officer residential and familial information of the person making the request. A person who makes a request for a redaction pursuant to this division shall make the request in writing and on a form developed by the attorney general. 1102
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(2) Upon receiving a written request for a redaction pursuant to division (D)(1) of this section, a public office other than a county auditor or a person responsible for the public records of a public office other than a county auditor shall act within five business days in accordance with the request to redact the address of the peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer making the request from any record made available to the general public on the internet that includes peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer residential and familial information of the person making the request, if practicable. If a redaction is not practicable, the public office or person responsible for the public office's public records shall verbally or in writing within five business days after receiving the written request explain to the peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer why the redaction is impracticable. 1107
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(3) Except as provided in this section and section 319.28 of the Revised Code, a public office other than an employer of a 1132
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peace officer, parole officer, prosecuting attorney, assistant 1134
prosecuting attorney, correctional employee, youth services 1135
employee, firefighter, EMT, ~~or~~ investigator of the bureau of 1136
criminal identification and investigation, or federal law 1137
enforcement officer or a person responsible for the public records 1138
of the employer is not required to redact the residential and 1139
familial information of the peace officer, parole officer, 1140
prosecuting attorney, assistant prosecuting attorney, correctional 1141
employee, youth services employee, firefighter, EMT, ~~or~~ 1142
investigator of the bureau of criminal identification and 1143
investigation, or federal law enforcement officer from other 1144
records maintained by the public office. 1145

(4) The attorney general shall develop a form to be used by a 1146
peace officer, parole officer, prosecuting attorney, assistant 1147
prosecuting attorney, correctional employee, youth services 1148
employee, firefighter, EMT, ~~or~~ investigator of the bureau of 1149
criminal identification and investigation, or federal law 1150
enforcement officer to request a redaction pursuant to division 1151
(D)(1) of this section. The form shall include a place to provide 1152
any information that identifies the location of the address of a 1153
peace officer, parole officer, prosecuting attorney, assistant 1154
prosecuting attorney, correctional employee, youth services 1155
employee, firefighter, EMT, ~~or~~ investigator of the bureau of 1156
criminal identification and investigation, or federal law 1157
enforcement officer to be redacted. 1158

(E)(1) If a public office or a person responsible for a 1159
public office's public records becomes aware that an electronic 1160
record of that public office that is made available to the general 1161
public on the internet contains an individual's social security 1162
number that was mistakenly not redacted, encrypted, or truncated 1163
as required by division (B)(1) or (2) of this section, the public 1164
office or person responsible for the public office's public 1165

records shall redact, encrypt, or truncate the individual's social 1166
security number within a reasonable period of time. 1167

(2) A public office or a person responsible for a public 1168
office's public records is not liable in damages in a civil action 1169
for any harm an individual allegedly sustains as a result of the 1170
inclusion of that individual's personal information on any record 1171
made available to the general public on the internet or any harm a 1172
peace officer, parole officer, prosecuting attorney, assistant 1173
prosecuting attorney, correctional employee, youth services 1174
employee, firefighter, EMT, ~~or~~ investigator of the bureau of 1175
criminal identification and investigation, or federal law 1176
enforcement officer sustains as a result of the inclusion of the 1177
address of the peace officer, parole officer, prosecuting 1178
attorney, assistant prosecuting attorney, correctional employee, 1179
youth services employee, firefighter, EMT, ~~or~~ investigator of the 1180
bureau of criminal identification and investigation, or federal 1181
law enforcement officer on any record made available to the 1182
general public on the internet in violation of this section unless 1183
the public office or person responsible for the public office's 1184
public records acted with malicious purpose, in bad faith, or in a 1185
wanton or reckless manner or division (A)(6)(a) or (c) of section 1186
2744.03 of the Revised Code applies. 1187

Sec. 319.28. (A) Except as otherwise provided in division (B) 1188
of this section, on or before the first Monday of August, 1189
annually, the county auditor shall compile and make up a general 1190
tax list of real and public utility property in the county, either 1191
in tabular form and alphabetical order, or, with the consent of 1192
the county treasurer, by listing all parcels in a permanent parcel 1193
number sequence to which a separate alphabetical index is keyed, 1194
containing the names of the several persons, companies, firms, 1195
partnerships, associations, and corporations in whose names real 1196
property has been listed in each township, municipal corporation, 1197

special district, or separate school district, or part of either 1198
in the auditor's county, placing separately, in appropriate 1199
columns opposite each name, the description of each tract, lot, or 1200
parcel of real estate, the value of each tract, lot, or parcel, 1201
the value of the improvements thereon, and of the names of the 1202
several public utilities whose property, subject to taxation on 1203
the general tax list and duplicate, has been apportioned by the 1204
department of taxation to the county, and the amount so 1205
apportioned to each township, municipal corporation, special 1206
district, or separate school district or part of either in the 1207
auditor's county, as shown by the certificates of apportionment of 1208
public utility property. If the name of the owner of any tract, 1209
lot, or parcel of real estate is unknown to the auditor, "unknown" 1210
shall be entered in the column of names opposite said tract, lot, 1211
or parcel. Such lists shall be prepared in duplicate. On or before 1212
the first Monday of September in each year, the auditor shall 1213
correct such lists in accordance with the additions and deductions 1214
ordered by the tax commissioner and by the county board of 1215
revision, and shall certify and on the first day of October 1216
deliver one copy thereof to the county treasurer. The copies 1217
prepared by the auditor shall constitute the auditor's general tax 1218
list and treasurer's general duplicate of real and public utility 1219
property for the current year. 1220

Once a permanent parcel numbering system has been established 1221
in any county as provided by the preceding paragraph, such system 1222
shall remain in effect until otherwise agreed upon by the county 1223
auditor and county treasurer. 1224

(B)(1) A peace officer, parole officer, prosecuting attorney, 1225
assistant prosecuting attorney, correctional employee, youth 1226
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 1227
of criminal identification and investigation, or federal law 1228
enforcement officer may submit a written request by affidavit to 1229

the county auditor requesting the county auditor to remove the 1230
name of the peace officer, parole officer, prosecuting attorney, 1231
assistant prosecuting attorney, correctional employee, youth 1232
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 1233
of criminal identification and investigation, or federal law 1234
enforcement officer from any record made available to the general 1235
public on the internet or a publicly accessible database and the 1236
general tax list of real and public utility property and the 1237
general duplicate of real and public utility property and insert 1238
the initials of the peace officer, parole officer, prosecuting 1239
attorney, assistant prosecuting attorney, correctional employee, 1240
youth services employee, firefighter, EMT, ~~or~~ investigator of the 1241
bureau of criminal identification and investigation, or federal 1242
law enforcement officer on any record made available to the 1243
general public on the internet or a publicly accessible database 1244
and the general tax list of real and public utility property and 1245
the general duplicate of real and public utility property as the 1246
name of the peace officer, parole officer, prosecuting attorney, 1247
assistant prosecuting attorney, correctional employee, youth 1248
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 1249
of criminal identification and investigation, or federal law 1250
enforcement officer that appears on the deed. 1251

(2) Upon receiving a written request by affidavit described 1252
in division (B)(1) of this section, the county auditor shall act 1253
within five business days in accordance with the request to remove 1254
the name of the peace officer, parole officer, prosecuting 1255
attorney, assistant prosecuting attorney, correctional employee, 1256
youth services employee, firefighter, EMT, ~~or~~ investigator of the 1257
bureau of criminal identification and investigation, or federal 1258
law enforcement officer from any record made available to the 1259
general public on the internet or a publicly accessible database 1260
and the general tax list of real and public utility property and 1261
the general duplicate of real and public utility property and 1262

insert initials of the peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer on any record made available to the general public on the internet or a publicly accessible database and the general tax list of real and public utility property and the general duplicate of real and public utility property, if practicable. If the removal and insertion is not practicable, the county auditor shall verbally or in writing within five business days after receiving the written request explain to the peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, ~~or~~ investigator of the bureau of criminal identification and investigation, or federal law enforcement officer why the removal and insertion is impracticable.

(C) As used in this section, "federal law enforcement officer" means any officer of the United States who is authorized by federal law to conduct any investigation of, and make any arrest for, any offense against the United States in violation of federal law.

Sec. 319.54. (A) On all moneys collected by the county treasurer on any tax duplicate of the county, other than estate tax duplicates, and on all moneys received as advance payments of personal property and classified property taxes, the county auditor, on settlement with the treasurer and tax commissioner, on or before the date prescribed by law for such settlement or any lawful extension of such date, shall be allowed as compensation for the county auditor's services the following percentages:

(1) On the first one hundred thousand dollars, two and

one-half per cent;	1294
(2) On the next two million dollars, eight thousand three hundred eighteen ten-thousandths of one per cent;	1295 1296
(3) On the next two million dollars, six thousand six hundred fifty-five ten-thousandths of one per cent;	1297 1298
(4) On all further sums, one thousand six hundred sixty-three ten-thousandths of one per cent.	1299 1300
If any settlement is not made on or before the date prescribed by law for such settlement or any lawful extension of such date, the aggregate compensation allowed to the auditor shall be reduced one per cent for each day such settlement is delayed after the prescribed date. No penalty shall apply if the auditor and treasurer grant all requests for advances up to ninety per cent of the settlement pursuant to section 321.34 of the Revised Code. The compensation allowed in accordance with this section on settlements made before the dates prescribed by law, or the reduced compensation allowed in accordance with this section on settlements made after the date prescribed by law or any lawful extension of such date, shall be apportioned ratably by the auditor and deducted from the shares or portions of the revenue payable to the state as well as to the county, townships, municipal corporations, and school districts.	1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315
(B) For the purpose of reimbursing county auditors for the expenses associated with the increased number of applications for reductions in real property taxes under sections 323.152 and 4503.065 of the Revised Code that result from the amendment of those sections by Am. Sub. H.B. 119 of the 127th general assembly, there shall be paid from the state's general revenue fund to the county treasury, to the credit of the real estate assessment fund created by section 325.31 of the Revised Code, an amount equal to one per cent of the total annual amount of property tax relief	1316 1317 1318 1319 1320 1321 1322 1323 1324

reimbursement paid to that county under sections 323.156 and 1325
4503.068 of the Revised Code for the preceding tax year. Payments 1326
made under this division shall be made at the same times and in 1327
the same manner as payments made under section 323.156 of the 1328
Revised Code. 1329

(C) From all moneys collected by the county treasurer on any 1330
tax duplicate of the county, other than estate tax duplicates, and 1331
on all moneys received as advance payments of personal property 1332
and classified property taxes, there shall be paid into the county 1333
treasury to the credit of the real estate assessment fund created 1334
by section 325.31 of the Revised Code, an amount to be determined 1335
by the county auditor, which shall not exceed the percentages 1336
prescribed in divisions (C)(1) and (2) of this section. 1337

(1) For payments made after June 30, 2007, and before 2011, 1338
the following percentages: 1339

(a) On the first five hundred thousand dollars, four per 1340
cent; 1341

(b) On the next five million dollars, two per cent; 1342

(c) On the next five million dollars, one per cent; 1343

(d) On all further sums not exceeding one hundred fifty 1344
million dollars, three-quarters of one per cent; 1345

(e) On amounts exceeding one hundred fifty million dollars, 1346
five hundred eighty-five thousandths of one per cent. 1347

(2) For payments made in or after 2011, the following 1348
percentages: 1349

(a) On the first five hundred thousand dollars, four per 1350
cent; 1351

(b) On the next ten million dollars, two per cent; 1352

(c) On amounts exceeding ten million five hundred thousand 1353
dollars, three-fourths of one per cent. 1354

Such compensation shall be apportioned ratably by the auditor 1355
and deducted from the shares or portions of the revenue payable to 1356
the state as well as to the county, townships, municipal 1357
corporations, and school districts. 1358

(D) Each county auditor shall receive four per cent of the 1359
amount of tax collected and paid into the county treasury, on 1360
property omitted and placed by the county auditor on the tax 1361
duplicate. 1362

(E) On all estate tax moneys collected by the county 1363
treasurer, the county auditor, on settlement semiannually with the 1364
tax commissioner, shall be allowed, as compensation for the 1365
auditor's services under Chapter 5731. of the Revised Code, the 1366
following percentages: 1367

(1) Four per cent on the first one hundred thousand dollars; 1368

(2) One-half of one per cent on all additional sums. 1369

Such percentages shall be computed upon the amount collected 1370
and reported at each semiannual settlement, and shall be for the 1371
use of the general fund of the county. 1372

(F) On all cigarette license moneys collected by the county 1373
treasurer, the county auditor, on settlement semiannually with the 1374
treasurer, shall be allowed as compensation for the auditor's 1375
services in the issuing of such licenses one-half of one per cent 1376
of such moneys, to be apportioned ratably and deducted from the 1377
shares of the revenue payable to the county and subdivisions, for 1378
the use of the general fund of the county. 1379

(G) The county auditor shall charge and receive fees as 1380
follows: 1381

(1) For deeds of land sold for taxes to be paid by the 1382
purchaser, five dollars; 1383

(2) For the transfer or entry of land, lot, or part of lot, 1384

or the transfer or entry on or after January 1, 2000, of a used 1385
manufactured home or mobile home as defined in section 5739.0210 1386
of the Revised Code, fifty cents for each transfer or entry, to be 1387
paid by the person requiring it; 1388

(3) For receiving statements of value and administering 1389
section 319.202 of the Revised Code, one dollar, or ten cents for 1390
each one hundred dollars or fraction of one hundred dollars, 1391
whichever is greater, of the value of the real property 1392
transferred or, for sales occurring on or after January 1, 2000, 1393
the value of the used manufactured home or used mobile home, as 1394
defined in section 5739.0210 of the Revised Code, transferred, 1395
except no fee shall be charged when the transfer is made: 1396

(a) To or from the United States, this state, or any 1397
instrumentality, agency, or political subdivision of the United 1398
States or this state; 1399

(b) Solely in order to provide or release security for a debt 1400
or obligation; 1401

(c) To confirm or correct a deed previously executed and 1402
recorded or when a current owner on any record made available to 1403
the general public on the internet or a publicly accessible 1404
database and the general tax list of real and public utility 1405
property and the general duplicate of real and public utility 1406
property is a peace officer, parole officer, prosecuting attorney, 1407
assistant prosecuting attorney, correctional employee, youth 1408
services employee, firefighter, EMT, ~~or~~ investigator of the bureau 1409
of criminal identification and investigation, or federal law 1410
enforcement officer and is changing the current owner name listed 1411
on any record made available to the general public on the internet 1412
or a publicly accessible database and the general tax list of real 1413
and public utility property and the general duplicate of real and 1414
public utility property to the initials of the current owner as 1415
prescribed in division (B)(1) of section 319.28 of the Revised 1416

Code;	1417
(d) To evidence a gift, in trust or otherwise and whether revocable or irrevocable, between husband and wife, or parent and child or the spouse of either;	1418 1419 1420
(e) On sale for delinquent taxes or assessments;	1421
(f) Pursuant to court order, to the extent that such transfer is not the result of a sale effected or completed pursuant to such order;	1422 1423 1424
(g) Pursuant to a reorganization of corporations or unincorporated associations or pursuant to the dissolution of a corporation, to the extent that the corporation conveys the property to a stockholder as a distribution in kind of the corporation's assets in exchange for the stockholder's shares in the dissolved corporation;	1425 1426 1427 1428 1429 1430
(h) By a subsidiary corporation to its parent corporation for no consideration, nominal consideration, or in sole consideration of the cancellation or surrender of the subsidiary's stock;	1431 1432 1433
(i) By lease, whether or not it extends to mineral or mineral rights, unless the lease is for a term of years renewable forever;	1434 1435
(j) When the value of the real property or the manufactured or mobile home or the value of the interest that is conveyed does not exceed one hundred dollars;	1436 1437 1438
(k) Of an occupied residential property, including a manufactured or mobile home, being transferred to the builder of a new residence or to the dealer of a new manufactured or mobile home when the former residence is traded as part of the consideration for the new residence or new manufactured or mobile home;	1439 1440 1441 1442 1443 1444
(l) To a grantee other than a dealer in real property or in manufactured or mobile homes, solely for the purpose of, and as a	1445 1446

step in, the prompt sale of the real property or manufactured or mobile home to others; 1447
1448

(m) To or from a person when no money or other valuable and tangible consideration readily convertible into money is paid or to be paid for the real estate or manufactured or mobile home and the transaction is not a gift; 1449
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(n) Pursuant to division (B) of section 317.22 of the Revised Code, or section 2113.61 of the Revised Code, between spouses or to a surviving spouse pursuant to section 5302.17 of the Revised Code as it existed prior to April 4, 1985, between persons pursuant to section 5302.17 or 5302.18 of the Revised Code on or after April 4, 1985, to a person who is a surviving, survivorship tenant pursuant to section 5302.17 of the Revised Code on or after April 4, 1985, or pursuant to section 5309.45 of the Revised Code; 1453
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(o) To a trustee acting on behalf of minor children of the deceased; 1461
1462

(p) Of an easement or right-of-way when the value of the interest conveyed does not exceed one thousand dollars; 1463
1464

(q) Of property sold to a surviving spouse pursuant to section 2106.16 of the Revised Code; 1465
1466

(r) To or from an organization exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, provided such transfer is without consideration and is in furtherance of the charitable or public purposes of such organization; 1467
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1470
1471

(s) Among the heirs at law or devisees, including a surviving spouse, of a common decedent, when no consideration in money is paid or to be paid for the real property or manufactured or mobile home; 1472
1473
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1475

(t) To a trustee of a trust, when the grantor of the trust 1476

has reserved an unlimited power to revoke the trust; 1477

(u) To the grantor of a trust by a trustee of the trust, when 1478
the transfer is made to the grantor pursuant to the exercise of 1479
the grantor's power to revoke the trust or to withdraw trust 1480
assets; 1481

(v) To the beneficiaries of a trust if the fee was paid on 1482
the transfer from the grantor of the trust to the trustee or if 1483
the transfer is made pursuant to trust provisions which became 1484
irrevocable at the death of the grantor; 1485

(w) To a corporation for incorporation into a sports facility 1486
constructed pursuant to section 307.696 of the Revised Code; 1487

(x) Between persons pursuant to section 5302.18 of the 1488
Revised Code; 1489

(y) From a county land reutilization corporation organized 1490
under Chapter 1724. of the Revised Code to a third party. 1491

The auditor shall compute and collect the fee. The auditor 1492
shall maintain a numbered receipt system, as prescribed by the tax 1493
commissioner, and use such receipt system to provide a receipt to 1494
each person paying a fee. The auditor shall deposit the receipts 1495
of the fees on conveyances in the county treasury daily to the 1496
credit of the general fund of the county, except that fees charged 1497
and received under division (G)(3) of this section for a transfer 1498
of real property to a county land reutilization corporation shall 1499
be credited to the county land reutilization corporation fund 1500
established under section 321.263 of the Revised Code. 1501

The real property transfer fee provided for in division 1502
(G)(3) of this section shall be applicable to any conveyance of 1503
real property presented to the auditor on or after January 1, 1504
1968, regardless of its time of execution or delivery. 1505

The transfer fee for a used manufactured home or used mobile 1506

home shall be computed by and paid to the county auditor of the 1507
county in which the home is located immediately prior to the 1508
transfer. 1509

(H) As used in this section, "federal law enforcement 1510
officer" means any officer of the United States who is authorized 1511
by federal law to conduct any investigation of, and make any 1512
arrest for, any offense against the United States in violation of 1513
federal law. 1514

Sec. 2901.44. (A) In any criminal action involving a 1515
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 1516
2903.22, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 1517
2907.08, 2907.09, 2911.211, 2919.22, or 2919.25 of the Revised 1518
Code, upon the conviction or plea of guilty of the defendant, the 1519
court shall notify in writing the victim of the offense if an 1520
adult person or a parent or guardian acting on behalf of the 1521
victim who is a minor, incompetent, or ward of the right of the 1522
person to apply with the assistance of an application assistant to 1523
the secretary of state under sections 111.31 to 111.40 of the 1524
Revised Code to have an address designated by the secretary of 1525
state serve as the person's address or the address of the minor, 1526
incompetent, or ward. The person may apply with the assistance of 1527
an application assistant to the secretary of state pursuant to 1528
those sections to have an address designated by the secretary of 1529
state serve as the person's address or the address of the minor, 1530
incompetent, or ward. 1531

(B) As used in this section: 1532

(1) "Guardian," "incompetent," "parent," and "ward" have the 1533
same meanings as in section 2111.01 of the Revised Code. 1534

(2) "Application assistant" has the same meaning as in 1535
section 111.31 of the Revised Code. 1536

Sec. 2903.213. (A) Except when the complaint involves a 1537
person who is a family or household member as defined in section 1538
2919.25 of the Revised Code, upon the filing of a complaint that 1539
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 1540
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 1541
a municipal ordinance substantially similar to section 2903.13, 1542
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 1543
the commission of a sexually oriented offense, the complainant, 1544
the alleged victim, or a family or household member of an alleged 1545
victim may file a motion that requests the issuance of a 1546
protection order as a pretrial condition of release of the alleged 1547
offender, in addition to any bail set under Criminal Rule 46. The 1548
motion shall be filed with the clerk of the court that has 1549
jurisdiction of the case at any time after the filing of the 1550
complaint. If the complaint involves a person who is a family or 1551
household member, the complainant, the alleged victim, or the 1552
family or household member may file a motion for a temporary 1553
protection order pursuant to section 2919.26 of the Revised Code. 1554

(B) A motion for a protection order under this section shall 1555
be prepared on a form that is provided by the clerk of the court, 1556
and the form shall be substantially as follows: 1557

"Motion for Protection Order 1558
..... 1559
Name and address of court 1560

State of Ohio 1561

v. No. 1562

..... 1563

Name of Defendant 1564

(Name of person), moves the court to issue a protection order 1565
containing terms designed to ensure the safety and protection of 1566
the complainant or the alleged victim in the above-captioned case, 1567

in relation to the named defendant, pursuant to its authority to issue a protection order under section 2903.213 of the Revised Code.

A complaint, a copy of which has been attached to this motion, has been filed in this court charging the named defendant with a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of a municipal ordinance substantially similar to section 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or the commission of a sexually oriented offense.

I understand that I must appear before the court, at a time set by the court not later than the next day that the court is in session after the filing of this motion, for a hearing on the motion, and that any protection order granted pursuant to this motion is a pretrial condition of release and is effective only until the disposition of the criminal proceeding arising out of the attached complaint or until the issuance under section 2903.214 of the Revised Code of a protection order arising out of the same activities as those that were the basis of the attached complaint.

.....

Signature of person

.....

Address of person"

(C)(1) As soon as possible after the filing of a motion that requests the issuance of a protection order under this section, but not later than the next day that the court is in session after the filing of the motion, the court shall conduct a hearing to determine whether to issue the order. The person who requested the order shall appear before the court and provide the court with the information that it requests concerning the basis of the motion.

If the court finds that the safety and protection of the complainant or the alleged victim may be impaired by the continued presence of the alleged offender, the court may issue a protection order under this section, as a pretrial condition of release, that contains terms designed to ensure the safety and protection of the complainant or the alleged victim, including a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant or the alleged victim.

(2)(a) If the court issues a protection order under this section that includes a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant or the alleged victim, the order shall clearly state that the order cannot be waived or nullified by an invitation to the alleged offender from the complainant, the alleged victim, or a family or household member to enter the residence, school, business, or place of employment or by the alleged offender's entry into one of those places otherwise upon the consent of the complainant, the alleged victim, or a family or household member.

(b) Division (C)(2)(a) of this section does not limit any discretion of a court to determine that an alleged offender charged with a violation of section 2919.27 of the Revised Code, with a violation of a municipal ordinance substantially equivalent to that section, or with contempt of court, which charge is based on an alleged violation of a protection order issued under this section, did not commit the violation or was not in contempt of court.

(D)(1) Except when the complaint involves a person who is a family or household member as defined in section 2919.25 of the Revised Code, upon the filing of a complaint that alleges a violation specified in division (A) of this section, the court,

upon its own motion, may issue a protection order under this 1631
section as a pretrial condition of release of the alleged offender 1632
if it finds that the safety and protection of the complainant or 1633
the alleged victim may be impaired by the continued presence of 1634
the alleged offender. 1635

(2) If the court issues a protection order under this section 1636
as an ex parte order, it shall conduct, as soon as possible after 1637
the issuance of the order but not later than the next day that the 1638
court is in session after its issuance, a hearing to determine 1639
whether the order should remain in effect, be modified, or be 1640
revoked. The hearing shall be conducted under the standards set 1641
forth in division (C) of this section. 1642

(3) If a municipal court or a county court issues a 1643
protection order under this section and if, subsequent to the 1644
issuance of the order, the alleged offender who is the subject of 1645
the order is bound over to the court of common pleas for 1646
prosecution of a felony arising out of the same activities as 1647
those that were the basis of the complaint upon which the order is 1648
based, notwithstanding the fact that the order was issued by a 1649
municipal court or county court, the order shall remain in effect, 1650
as though it were an order of the court of common pleas, while the 1651
charges against the alleged offender are pending in the court of 1652
common pleas, for the period of time described in division (E)(2) 1653
of this section, and the court of common pleas has exclusive 1654
jurisdiction to modify the order issued by the municipal court or 1655
county court. This division applies when the alleged offender is 1656
bound over to the court of common pleas as a result of the person 1657
waiving a preliminary hearing on the felony charge, as a result of 1658
the municipal court or county court having determined at a 1659
preliminary hearing that there is probable cause to believe that 1660
the felony has been committed and that the alleged offender 1661
committed it, as a result of the alleged offender having been 1662

indicted for the felony, or in any other manner. 1663

(E) A protection order that is issued as a pretrial condition 1664
of release under this section: 1665

(1) Is in addition to, but shall not be construed as a part 1666
of, any bail set under Criminal Rule 46; 1667

(2) Is effective only until the disposition, by the court 1668
that issued the order or, in the circumstances described in 1669
division (D)(3) of this section, by the court of common pleas to 1670
which the alleged offender is bound over for prosecution, of the 1671
criminal proceeding arising out of the complaint upon which the 1672
order is based or until the issuance under section 2903.214 of the 1673
Revised Code of a protection order arising out of the same 1674
activities as those that were the basis of the complaint filed 1675
under this section; 1676

(3) Shall not be construed as a finding that the alleged 1677
offender committed the alleged offense and shall not be introduced 1678
as evidence of the commission of the offense at the trial of the 1679
alleged offender on the complaint upon which the order is based. 1680

(F) A person who meets the criteria for bail under Criminal 1681
Rule 46 and who, if required to do so pursuant to that rule, 1682
executes or posts bond or deposits cash or securities as bail, 1683
shall not be held in custody pending a hearing before the court on 1684
a motion requesting a protection order under this section. 1685

(G)(1) A copy of a protection order that is issued under this 1686
section shall be issued by the court to the complainant, to the 1687
alleged victim, to the person who requested the order, to the 1688
defendant, and to all law enforcement agencies that have 1689
jurisdiction to enforce the order. The court shall direct that a 1690
copy of the order be delivered to the defendant on the same day 1691
that the order is entered. If a municipal court or a county court 1692
issues a protection order under this section and if, subsequent to 1693

the issuance of the order, the defendant who is the subject of the 1694
order is bound over to the court of common pleas for prosecution 1695
as described in division (D)(3) of this section, the municipal 1696
court or county court shall direct that a copy of the order be 1697
delivered to the court of common pleas to which the defendant is 1698
bound over. 1699

(2) Upon the issuance of a protection order under this 1700
section, the court shall provide the parties to the order with the 1701
following notice orally or by form: 1702

"NOTICE 1703

If you are convicted of a misdemeanor crime involving 1704
violence in which you are or were a spouse, intimate partner, 1705
parent, or guardian of the victim or are or were involved in 1706
another, similar relationship with the victim, it may be unlawful 1707
for you to possess or purchase a firearm, including a rifle, 1708
pistol, or revolver, or ammunition pursuant to federal law under 1709
18 U.S.C. 922(g)(9). If you have any questions whether this law 1710
makes it illegal for you to possess or purchase a firearm or 1711
ammunition, you should consult an attorney." 1712

(3) All law enforcement agencies shall establish and maintain 1713
an index for the protection orders delivered to the agencies 1714
pursuant to division (G)(1) of this section. With respect to each 1715
order delivered, each agency shall note on the index the date and 1716
time of the agency's receipt of the order. 1717

(4) Regardless of whether the petitioner has registered the 1718
protection order in the county in which the officer's agency has 1719
jurisdiction, any officer of a law enforcement agency shall 1720
enforce a protection order issued pursuant to this section in 1721
accordance with the provisions of the order. 1722

(H) Upon a violation of a protection order issued pursuant to 1723
this section, the court may issue another protection order under 1724

this section, as a pretrial condition of release, that modifies 1725
the terms of the order that was violated. 1726

(I) Notwithstanding any provision of law to the contrary and 1727
regardless of whether a protection order is issued or a consent 1728
agreement is approved by a court of another county or by a court 1729
of another state, no court or unit of state or local government 1730
shall charge any fee, cost, deposit, or money in connection with 1731
the filing of a motion pursuant to this section, in connection 1732
with the filing, issuance, registration, or service of a 1733
protection order or consent agreement, or for obtaining certified 1734
copies of a protection order or consent agreement. 1735

(J)(1) Upon the issuance of a protection order under this 1736
section, the court shall notify in writing the person who filed 1737
the motion for the issuance of the order of the right of the 1738
person to apply with the assistance of an application assistant to 1739
the secretary of state under sections 111.31 to 111.40 of the 1740
Revised Code to have an address designated by the secretary of 1741
state serve as the person's address or the address of the person 1742
on whose behalf the protection order was issued. The person who 1743
filed the motion for the issuance of the protection order may 1744
apply with the assistance of an application assistant to the 1745
secretary of state pursuant to those sections to have an address 1746
designated by the secretary of state serve as the person's address 1747
or the address of the person on whose behalf the protection order 1748
was issued. 1749

(2) As used in division (J)(1) of this section, "application 1750
assistant" has the same meaning as in section 111.31 of the 1751
Revised Code. 1752

(K) As used in this section, "sexually oriented offense" has 1753
the same meaning as in section 2950.01 of the Revised Code. 1754

Sec. 2903.214. (A) As used in this section: 1755

(1) "Court" means the court of common pleas of the county in which the person to be protected by the protection order resides.	1756 1757
(2) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	1758 1759
(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.	1760 1761
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	1762 1763
(5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	1764 1765
(6) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code.	1766 1767
(B) The court has jurisdiction over all proceedings under this section.	1768 1769
(C) A person may seek relief under this section for the person, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state all of the following:	1770 1771 1772 1773 1774
(1) An allegation that the respondent engaged in a violation of section 2903.211 of the Revised Code against the person to be protected by the protection order or committed a sexually oriented offense against the person to be protected by the protection order, including a description of the nature and extent of the violation;	1775 1776 1777 1778 1779 1780
(2) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at	1781 1782 1783 1784 1785

risk, a description of the nature and extent of that conduct, and 1786
an allegation that the respondent presents a continuing danger to 1787
the person to be protected; 1788

(3) A request for relief under this section. 1789

(D)(1) If a person who files a petition pursuant to this 1790
section requests an ex parte order, the court shall hold an ex 1791
parte hearing as soon as possible after the petition is filed, but 1792
not later than the next day that the court is in session after the 1793
petition is filed. The court, for good cause shown at the ex parte 1794
hearing, may enter any temporary orders, with or without bond, 1795
that the court finds necessary for the safety and protection of 1796
the person to be protected by the order. Immediate and present 1797
danger to the person to be protected by the protection order 1798
constitutes good cause for purposes of this section. Immediate and 1799
present danger includes, but is not limited to, situations in 1800
which the respondent has threatened the person to be protected by 1801
the protection order with bodily harm or in which the respondent 1802
previously has been convicted of or pleaded guilty to a violation 1803
of section 2903.211 of the Revised Code or a sexually oriented 1804
offense against the person to be protected by the protection 1805
order. 1806

(2)(a) If the court, after an ex parte hearing, issues a 1807
protection order described in division (E) of this section, the 1808
court shall schedule a full hearing for a date that is within ten 1809
court days after the ex parte hearing. The court shall give the 1810
respondent notice of, and an opportunity to be heard at, the full 1811
hearing. The court shall hold the full hearing on the date 1812
scheduled under this division unless the court grants a 1813
continuance of the hearing in accordance with this division. Under 1814
any of the following circumstances or for any of the following 1815
reasons, the court may grant a continuance of the full hearing to 1816
a reasonable time determined by the court: 1817

(i) Prior to the date scheduled for the full hearing under 1818
this division, the respondent has not been served with the 1819
petition filed pursuant to this section and notice of the full 1820
hearing. 1821

(ii) The parties consent to the continuance. 1822

(iii) The continuance is needed to allow a party to obtain 1823
counsel. 1824

(iv) The continuance is needed for other good cause. 1825

(b) An ex parte order issued under this section does not 1826
expire because of a failure to serve notice of the full hearing 1827
upon the respondent before the date set for the full hearing under 1828
division (D)(2)(a) of this section or because the court grants a 1829
continuance under that division. 1830

(3) If a person who files a petition pursuant to this section 1831
does not request an ex parte order, or if a person requests an ex 1832
parte order but the court does not issue an ex parte order after 1833
an ex parte hearing, the court shall proceed as in a normal civil 1834
action and grant a full hearing on the matter. 1835

(E)(1)(a) After an ex parte or full hearing, the court may 1836
issue any protection order, with or without bond, that contains 1837
terms designed to ensure the safety and protection of the person 1838
to be protected by the protection order, including, but not 1839
limited to, a requirement that the respondent refrain from 1840
entering the residence, school, business, or place of employment 1841
of the petitioner or family or household member. If the court 1842
includes a requirement that the respondent refrain from entering 1843
the residence, school, business, or place of employment of the 1844
petitioner or family or household member in the order, it also 1845
shall include in the order provisions of the type described in 1846
division (E)(5) of this section. 1847

(b) After a full hearing, if the court considering a petition 1848

that includes an allegation of the type described in division 1849
(C)(2) of this section, or the court upon its own motion, finds 1850
upon clear and convincing evidence that the petitioner reasonably 1851
believed that the respondent's conduct at any time preceding the 1852
filing of the petition endangered the health, welfare, or safety 1853
of the person to be protected and that the respondent presents a 1854
continuing danger to the person to be protected, the court may 1855
order that the respondent be electronically monitored for a period 1856
of time and under the terms and conditions that the court 1857
determines are appropriate. Electronic monitoring shall be in 1858
addition to any other relief granted to the petitioner. 1859

(2)(a) Any protection order issued pursuant to this section 1860
shall be valid until a date certain but not later than five years 1861
from the date of its issuance. 1862

(b) Any protection order issued pursuant to this section may 1863
be renewed in the same manner as the original order was issued. 1864

(3) A court may not issue a protection order that requires a 1865
petitioner to do or to refrain from doing an act that the court 1866
may require a respondent to do or to refrain from doing under 1867
division (E)(1) of this section unless all of the following apply: 1868

(a) The respondent files a separate petition for a protection 1869
order in accordance with this section. 1870

(b) The petitioner is served with notice of the respondent's 1871
petition at least forty-eight hours before the court holds a 1872
hearing with respect to the respondent's petition, or the 1873
petitioner waives the right to receive this notice. 1874

(c) If the petitioner has requested an ex parte order 1875
pursuant to division (D) of this section, the court does not delay 1876
any hearing required by that division beyond the time specified in 1877
that division in order to consolidate the hearing with a hearing 1878
on the petition filed by the respondent. 1879

(d) After a full hearing at which the respondent presents 1880
evidence in support of the request for a protection order and the 1881
petitioner is afforded an opportunity to defend against that 1882
evidence, the court determines that the petitioner has committed a 1883
violation of section 2903.211 of the Revised Code against the 1884
person to be protected by the protection order issued pursuant to 1885
this section, has committed a sexually oriented offense against 1886
the person to be protected by the protection order, or has 1887
violated a protection order issued pursuant to section 2903.213 of 1888
the Revised Code relative to the person to be protected by the 1889
protection order issued pursuant to this section. 1890

(4) No protection order issued pursuant to this section shall 1891
in any manner affect title to any real property. 1892

(5)(a) If the court issues a protection order under this 1893
section that includes a requirement that the alleged offender 1894
refrain from entering the residence, school, business, or place of 1895
employment of the petitioner or a family or household member, the 1896
order shall clearly state that the order cannot be waived or 1897
nullified by an invitation to the alleged offender from the 1898
complainant to enter the residence, school, business, or place of 1899
employment or by the alleged offender's entry into one of those 1900
places otherwise upon the consent of the petitioner or family or 1901
household member. 1902

(b) Division (E)(5)(a) of this section does not limit any 1903
discretion of a court to determine that an alleged offender 1904
charged with a violation of section 2919.27 of the Revised Code, 1905
with a violation of a municipal ordinance substantially equivalent 1906
to that section, or with contempt of court, which charge is based 1907
on an alleged violation of a protection order issued under this 1908
section, did not commit the violation or was not in contempt of 1909
court. 1910

(F)(1) The court shall cause the delivery of a copy of any 1911

protection order that is issued under this section to the 1912
petitioner, to the respondent, and to all law enforcement agencies 1913
that have jurisdiction to enforce the order. The court shall 1914
direct that a copy of the order be delivered to the respondent on 1915
the same day that the order is entered. 1916

(2) Upon the issuance of a protection order under this 1917
section, the court shall provide the parties to the order with the 1918
following notice orally or by form: 1919

"NOTICE 1920

As a result of this order, it may be unlawful for you to 1921
possess or purchase a firearm, including a rifle, pistol, or 1922
revolver, or ammunition pursuant to federal law under 18 U.S.C. 1923
922(g)(8). If you have any questions whether this law makes it 1924
illegal for you to possess or purchase a firearm or ammunition, 1925
you should consult an attorney." 1926

(3) All law enforcement agencies shall establish and maintain 1927
an index for the protection orders delivered to the agencies 1928
pursuant to division (F)(1) of this section. With respect to each 1929
order delivered, each agency shall note on the index the date and 1930
time that it received the order. 1931

(4) Regardless of whether the petitioner has registered the 1932
protection order in the county in which the officer's agency has 1933
jurisdiction pursuant to division (M) of this section, any officer 1934
of a law enforcement agency shall enforce a protection order 1935
issued pursuant to this section by any court in this state in 1936
accordance with the provisions of the order, including removing 1937
the respondent from the premises, if appropriate. 1938

(G) Any proceeding under this section shall be conducted in 1939
accordance with the Rules of Civil Procedure, except that a 1940
protection order may be obtained under this section with or 1941
without bond. An order issued under this section, other than an ex 1942

parte order, that grants a protection order, or that refuses to 1943
grant a protection order, is a final, appealable order. The 1944
remedies and procedures provided in this section are in addition 1945
to, and not in lieu of, any other available civil or criminal 1946
remedies. 1947

(H) The filing of proceedings under this section does not 1948
excuse a person from filing any report or giving any notice 1949
required by section 2151.421 of the Revised Code or by any other 1950
law. 1951

(I) Any law enforcement agency that investigates an alleged 1952
violation of section 2903.211 of the Revised Code or an alleged 1953
commission of a sexually oriented offense shall provide 1954
information to the victim and the family or household members of 1955
the victim regarding the relief available under this section and 1956
section 2903.213 of the Revised Code. 1957

(J) Notwithstanding any provision of law to the contrary and 1958
regardless of whether a protection order is issued or a consent 1959
agreement is approved by a court of another county or by a court 1960
of another state, no court or unit of state or local government 1961
shall charge any fee, cost, deposit, or money in connection with 1962
the filing of a petition pursuant to this section, in connection 1963
with the filing, issuance, registration, or service of a 1964
protection order or consent agreement, or for obtaining a 1965
certified copy of a protection order or consent agreement. 1966

(K)(1) A person who violates a protection order issued under 1967
this section is subject to the following sanctions: 1968

(a) Criminal prosecution for a violation of section 2919.27 1969
of the Revised Code, if the violation of the protection order 1970
constitutes a violation of that section; 1971

(b) Punishment for contempt of court. 1972

(2) The punishment of a person for contempt of court for 1973

violation of a protection order issued under this section does not 1974
bar criminal prosecution of the person for a violation of section 1975
2919.27 of the Revised Code. However, a person punished for 1976
contempt of court is entitled to credit for the punishment imposed 1977
upon conviction of a violation of that section, and a person 1978
convicted of a violation of that section shall not subsequently be 1979
punished for contempt of court arising out of the same activity. 1980

(L) In all stages of a proceeding under this section, a 1981
petitioner may be accompanied by a victim advocate. 1982

(M)(1) A petitioner who obtains a protection order under this 1983
section or a protection order under section 2903.213 of the 1984
Revised Code may provide notice of the issuance or approval of the 1985
order to the judicial and law enforcement officials in any county 1986
other than the county in which the order is issued by registering 1987
that order in the other county pursuant to division (M)(2) of this 1988
section and filing a copy of the registered order with a law 1989
enforcement agency in the other county in accordance with that 1990
division. A person who obtains a protection order issued by a 1991
court of another state may provide notice of the issuance of the 1992
order to the judicial and law enforcement officials in any county 1993
of this state by registering the order in that county pursuant to 1994
section 2919.272 of the Revised Code and filing a copy of the 1995
registered order with a law enforcement agency in that county. 1996

(2) A petitioner may register a protection order issued 1997
pursuant to this section or section 2903.213 of the Revised Code 1998
in a county other than the county in which the court that issued 1999
the order is located in the following manner: 2000

(a) The petitioner shall obtain a certified copy of the order 2001
from the clerk of the court that issued the order and present that 2002
certified copy to the clerk of the court of common pleas or the 2003
clerk of a municipal court or county court in the county in which 2004
the order is to be registered. 2005

(b) Upon accepting the certified copy of the order for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order and give the petitioner a copy of the order that bears that proof of registration.

(3) The clerk of each court of common pleas, municipal court, or county court shall maintain a registry of certified copies of protection orders that have been issued by courts in other counties pursuant to this section or section 2903.213 of the Revised Code and that have been registered with the clerk.

(N) If the court orders electronic monitoring of the respondent under this section, the court shall direct the sheriff's office or any other appropriate law enforcement agency to install the electronic monitoring device and to monitor the respondent. Unless the court determines that the respondent is indigent, the court shall order the respondent to pay the cost of the installation and monitoring of the electronic monitoring device. If the court determines that the respondent is indigent, the cost of the installation and monitoring of the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. The total amount of costs for the installation and monitoring of electronic monitoring devices paid pursuant to this division from the reparations fund shall not exceed three hundred thousand dollars per year. The attorney general may promulgate rules pursuant to section 111.15 of the Revised Code to govern payments made from the reparations fund pursuant to this division. The rules may include reasonable limits on the total cost paid pursuant to this division per respondent, the amount of the three hundred thousand dollars allocated to each county, and how invoices may be submitted by a county, court, or other entity.

(O)(1) Upon the issuance of a protection order under this

section, the court shall notify the petitioner in writing of the 2038
right of the petitioner to apply with the assistance of an 2039
application assistant to the secretary of state under sections 2040
111.31 to 111.40 of the Revised Code to have an address designated 2041
by the secretary of state serve as the petitioner's address or the 2042
address of the person on whose behalf the protection order was 2043
issued. The petitioner may apply with the assistance of an 2044
application assistant to the secretary of state pursuant to those 2045
sections to have an address designated by the secretary of state 2046
serve as the petitioner's address or the address of the person on 2047
whose behalf the protection order was issued. 2048

(2) As used in division (O)(1) of this section, "application 2049
assistant" has the same meaning as in section 111.31 of the 2050
Revised Code. 2051

Sec. 3113.31. (A) As used in this section: 2052

(1) "Domestic violence" means the occurrence of one or more 2053
of the following acts against a family or household member: 2054

(a) Attempting to cause or recklessly causing bodily injury; 2055

(b) Placing another person by the threat of force in fear of 2056
imminent serious physical harm or committing a violation of 2057
section 2903.211 or 2911.211 of the Revised Code; 2058

(c) Committing any act with respect to a child that would 2059
result in the child being an abused child, as defined in section 2060
2151.031 of the Revised Code; 2061

(d) Committing a sexually oriented offense. 2062

(2) "Court" means the domestic relations division of the 2063
court of common pleas in counties that have a domestic relations 2064
division, and the court of common pleas in counties that do not 2065
have a domestic relations division. 2066

(3) "Family or household member" means any of the following: 2067

(a) Any of the following who is residing with or has resided with the respondent:	2068 2069
(i) A spouse, a person living as a spouse, or a former spouse of the respondent;	2070 2071
(ii) A parent or a child of the respondent, or another person related by consanguinity or affinity to the respondent;	2072 2073
(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the respondent.	2074 2075 2076 2077
(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.	2078 2079
(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years prior to the date of the alleged occurrence of the act in question.	2080 2081 2082 2083 2084 2085
(5) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	2086 2087
(6) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	2088 2089
(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.	2090 2091 2092 2093
(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The	2094 2095 2096 2097

petition shall contain or state: 2098

(1) An allegation that the respondent engaged in domestic 2099
violence against a family or household member of the respondent, 2100
including a description of the nature and extent of the domestic 2101
violence; 2102

(2) The relationship of the respondent to the petitioner, and 2103
to the victim if other than the petitioner; 2104

(3) A request for relief under this section. 2105

(D)(1) If a person who files a petition pursuant to this 2106
section requests an ex parte order, the court shall hold an ex 2107
parte hearing on the same day that the petition is filed. The 2108
court, for good cause shown at the ex parte hearing, may enter any 2109
temporary orders, with or without bond, including, but not limited 2110
to, an order described in division (E)(1)(a), (b), or (c) of this 2111
section, that the court finds necessary to protect the family or 2112
household member from domestic violence. Immediate and present 2113
danger of domestic violence to the family or household member 2114
constitutes good cause for purposes of this section. Immediate and 2115
present danger includes, but is not limited to, situations in 2116
which the respondent has threatened the family or household member 2117
with bodily harm, in which the respondent has threatened the 2118
family or household member with a sexually oriented offense, or in 2119
which the respondent previously has been convicted of or pleaded 2120
guilty to an offense that constitutes domestic violence against 2121
the family or household member. 2122

(2)(a) If the court, after an ex parte hearing, issues an 2123
order described in division (E)(1)(b) or (c) of this section, the 2124
court shall schedule a full hearing for a date that is within 2125
seven court days after the ex parte hearing. If any other type of 2126
protection order that is authorized under division (E) of this 2127
section is issued by the court after an ex parte hearing, the 2128

court shall schedule a full hearing for a date that is within ten 2129
court days after the ex parte hearing. The court shall give the 2130
respondent notice of, and an opportunity to be heard at, the full 2131
hearing. The court shall hold the full hearing on the date 2132
scheduled under this division unless the court grants a 2133
continuance of the hearing in accordance with this division. Under 2134
any of the following circumstances or for any of the following 2135
reasons, the court may grant a continuance of the full hearing to 2136
a reasonable time determined by the court: 2137

(i) Prior to the date scheduled for the full hearing under 2138
this division, the respondent has not been served with the 2139
petition filed pursuant to this section and notice of the full 2140
hearing. 2141

(ii) The parties consent to the continuance. 2142

(iii) The continuance is needed to allow a party to obtain 2143
counsel. 2144

(iv) The continuance is needed for other good cause. 2145

(b) An ex parte order issued under this section does not 2146
expire because of a failure to serve notice of the full hearing 2147
upon the respondent before the date set for the full hearing under 2148
division (D)(2)(a) of this section or because the court grants a 2149
continuance under that division. 2150

(3) If a person who files a petition pursuant to this section 2151
does not request an ex parte order, or if a person requests an ex 2152
parte order but the court does not issue an ex parte order after 2153
an ex parte hearing, the court shall proceed as in a normal civil 2154
action and grant a full hearing on the matter. 2155

(E)(1) After an ex parte or full hearing, the court may grant 2156
any protection order, with or without bond, or approve any consent 2157
agreement to bring about a cessation of domestic violence against 2158
the family or household members. The order or agreement may: 2159

- (a) Direct the respondent to refrain from abusing or from committing sexually oriented offenses against the family or household members; 2160
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- (b) Grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to vacate the premises, when the residence or household is jointly owned or leased by the respondent, and the petitioner or other family or household member; 2163
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- (c) When the respondent has a duty to support the petitioner or other family or household member living in the residence or household and the respondent is the sole owner or lessee of the residence or household, grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by ordering the respondent to vacate the premises, or, in the case of a consent agreement, allow the respondent to provide suitable, alternative housing; 2171
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- (d) Temporarily allocate parental rights and responsibilities for the care of, or establish temporary parenting time rights with regard to, minor children, if no other court has determined, or is determining, the allocation of parental rights and responsibilities for the minor children or parenting time rights; 2179
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- (e) Require the respondent to maintain support, if the respondent customarily provides for or contributes to the support of the family or household member, or if the respondent has a duty to support the petitioner or family or household member; 2184
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- (f) Require the respondent, petitioner, victim of domestic violence, or any combination of those persons, to seek counseling; 2188
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- (g) Require the respondent to refrain from entering the 2190

residence, school, business, or place of employment of the 2191
petitioner or family or household member; 2192

(h) Grant other relief that the court considers equitable and 2193
fair, including, but not limited to, ordering the respondent to 2194
permit the use of a motor vehicle by the petitioner or other 2195
family or household member and the apportionment of household and 2196
family personal property. 2197

(2) If a protection order has been issued pursuant to this 2198
section in a prior action involving the respondent and the 2199
petitioner or one or more of the family or household members or 2200
victims, the court may include in a protection order that it 2201
issues a prohibition against the respondent returning to the 2202
residence or household. If it includes a prohibition against the 2203
respondent returning to the residence or household in the order, 2204
it also shall include in the order provisions of the type 2205
described in division (E)(7) of this section. This division does 2206
not preclude the court from including in a protection order or 2207
consent agreement, in circumstances other than those described in 2208
this division, a requirement that the respondent be evicted from 2209
or vacate the residence or household or refrain from entering the 2210
residence, school, business, or place of employment of the 2211
petitioner or a family or household member, and, if the court 2212
includes any requirement of that type in an order or agreement, 2213
the court also shall include in the order provisions of the type 2214
described in division (E)(7) of this section. 2215

(3)(a) Any protection order issued or consent agreement 2216
approved under this section shall be valid until a date certain, 2217
but not later than five years from the date of its issuance or 2218
approval unless modified or terminated as provided in division 2219
(E)(8) of this section. 2220

(b) Subject to the limitation on the duration of an order or 2221
agreement set forth in division (E)(3)(a) of this section, any 2222

order under division (E)(1)(d) of this section shall terminate on 2223
the date that a court in an action for divorce, dissolution of 2224
marriage, or legal separation brought by the petitioner or 2225
respondent issues an order allocating parental rights and 2226
responsibilities for the care of children or on the date that a 2227
juvenile court in an action brought by the petitioner or 2228
respondent issues an order awarding legal custody of minor 2229
children. Subject to the limitation on the duration of an order or 2230
agreement set forth in division (E)(3)(a) of this section, any 2231
order under division (E)(1)(e) of this section shall terminate on 2232
the date that a court in an action for divorce, dissolution of 2233
marriage, or legal separation brought by the petitioner or 2234
respondent issues a support order or on the date that a juvenile 2235
court in an action brought by the petitioner or respondent issues 2236
a support order. 2237

(c) Any protection order issued or consent agreement approved 2238
pursuant to this section may be renewed in the same manner as the 2239
original order or agreement was issued or approved. 2240

(4) A court may not issue a protection order that requires a 2241
petitioner to do or to refrain from doing an act that the court 2242
may require a respondent to do or to refrain from doing under 2243
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 2244
section unless all of the following apply: 2245

(a) The respondent files a separate petition for a protection 2246
order in accordance with this section. 2247

(b) The petitioner is served notice of the respondent's 2248
petition at least forty-eight hours before the court holds a 2249
hearing with respect to the respondent's petition, or the 2250
petitioner waives the right to receive this notice. 2251

(c) If the petitioner has requested an ex parte order 2252
pursuant to division (D) of this section, the court does not delay 2253

any hearing required by that division beyond the time specified in 2254
that division in order to consolidate the hearing with a hearing 2255
on the petition filed by the respondent. 2256

(d) After a full hearing at which the respondent presents 2257
evidence in support of the request for a protection order and the 2258
petitioner is afforded an opportunity to defend against that 2259
evidence, the court determines that the petitioner has committed 2260
an act of domestic violence or has violated a temporary protection 2261
order issued pursuant to section 2919.26 of the Revised Code, that 2262
both the petitioner and the respondent acted primarily as 2263
aggressors, and that neither the petitioner nor the respondent 2264
acted primarily in self-defense. 2265

(5) No protection order issued or consent agreement approved 2266
under this section shall in any manner affect title to any real 2267
property. 2268

(6)(a) If a petitioner, or the child of a petitioner, who 2269
obtains a protection order or consent agreement pursuant to 2270
division (E)(1) of this section or a temporary protection order 2271
pursuant to section 2919.26 of the Revised Code and is the subject 2272
of a parenting time order issued pursuant to section 3109.051 or 2273
3109.12 of the Revised Code or a visitation or companionship order 2274
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 2275
Revised Code or division (E)(1)(d) of this section granting 2276
parenting time rights to the respondent, the court may require the 2277
public children services agency of the county in which the court 2278
is located to provide supervision of the respondent's exercise of 2279
parenting time or visitation or companionship rights with respect 2280
to the child for a period not to exceed nine months, if the court 2281
makes the following findings of fact: 2282

(i) The child is in danger from the respondent; 2283

(ii) No other person or agency is available to provide the 2284

supervision. 2285

(b) A court that requires an agency to provide supervision 2286
pursuant to division (E)(6)(a) of this section shall order the 2287
respondent to reimburse the agency for the cost of providing the 2288
supervision, if it determines that the respondent has sufficient 2289
income or resources to pay that cost. 2290

(7)(a) If a protection order issued or consent agreement 2291
approved under this section includes a requirement that the 2292
respondent be evicted from or vacate the residence or household or 2293
refrain from entering the residence, school, business, or place of 2294
employment of the petitioner or a family or household member, the 2295
order or agreement shall state clearly that the order or agreement 2296
cannot be waived or nullified by an invitation to the respondent 2297
from the petitioner or other family or household member to enter 2298
the residence, school, business, or place of employment or by the 2299
respondent's entry into one of those places otherwise upon the 2300
consent of the petitioner or other family or household member. 2301

(b) Division (E)(7)(a) of this section does not limit any 2302
discretion of a court to determine that a respondent charged with 2303
a violation of section 2919.27 of the Revised Code, with a 2304
violation of a municipal ordinance substantially equivalent to 2305
that section, or with contempt of court, which charge is based on 2306
an alleged violation of a protection order issued or consent 2307
agreement approved under this section, did not commit the 2308
violation or was not in contempt of court. 2309

(8)(a) The court may modify or terminate as provided in 2310
division (E)(8) of this section a protection order or consent 2311
agreement that was issued after a full hearing under this section. 2312
The court that issued the protection order or approved the consent 2313
agreement shall hear a motion for modification or termination of 2314
the protection order or consent agreement pursuant to division 2315
(E)(8) of this section. 2316

(b) Either the petitioner or the respondent of the original protection order or consent agreement may bring a motion for modification or termination of a protection order or consent agreement that was issued or approved after a full hearing. The court shall require notice of the motion to be made as provided by the Rules of Civil Procedure. If the petitioner for the original protection order or consent agreement has requested that the petitioner's address be kept confidential, the court shall not disclose the address to the respondent of the original protection order or consent agreement or any other person, except as otherwise required by law. The moving party has the burden of proof to show, by a preponderance of the evidence, that modification or termination of the protection order or consent agreement is appropriate because either the protection order or consent agreement is no longer needed or because the terms of the original protection order or consent agreement are no longer appropriate.

(c) In considering whether to modify or terminate a protection order or consent agreement issued or approved under this section, the court shall consider all relevant factors, including, but not limited to, the following:

(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement;

(ii) Whether the petitioner fears the respondent;

(iii) The current nature of the relationship between the petitioner and the respondent;

(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences and whether the petitioner and respondent have minor children together;

(v) Whether the respondent has complied with the terms and

conditions of the original protection order or consent agreement;	2348
(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol;	2349 2350
(vii) Whether the respondent has been convicted of or pleaded guilty to an offense of violence since the issuance of the protection order or approval of the consent agreement;	2351 2352 2353
(viii) Whether any other protection orders, consent agreements, restraining orders, or no contact orders have been issued against the respondent pursuant to this section, section 2919.26 of the Revised Code, any other provision of state law, or the law of any other state;	2354 2355 2356 2357 2358
(ix) Whether the respondent has participated in any domestic violence treatment, intervention program, or other counseling addressing domestic violence and whether the respondent has completed the treatment, program, or counseling;	2359 2360 2361 2362
(x) The time that has elapsed since the protection order was issued or since the consent agreement was approved;	2363 2364
(xi) The age and health of the respondent;	2365
(xii) When the last incident of abuse, threat of harm, or commission of a sexually oriented offense occurred or other relevant information concerning the safety and protection of the petitioner or other protected parties.	2366 2367 2368 2369
(d) If a protection order or consent agreement is modified or terminated as provided in division (E)(8) of this section, the court shall issue copies of the modified or terminated order or agreement as provided in division (F) of this section. A petitioner may also provide notice of the modification or termination to the judicial and law enforcement officials in any county other than the county in which the order or agreement is modified or terminated as provided in division (N) of this	2370 2371 2372 2373 2374 2375 2376 2377

section. 2378

(e) If the respondent moves for modification or termination 2379
of a protection order or consent agreement pursuant to this 2380
section, the court may assess costs against the respondent for the 2381
filing of the motion. 2382

(F)(1) A copy of any protection order, or consent agreement, 2383
that is issued, approved, modified, or terminated under this 2384
section shall be issued by the court to the petitioner, to the 2385
respondent, and to all law enforcement agencies that have 2386
jurisdiction to enforce the order or agreement. The court shall 2387
direct that a copy of an order be delivered to the respondent on 2388
the same day that the order is entered. 2389

(2) Upon the issuance of a protection order or the approval 2390
of a consent agreement under this section, the court shall provide 2391
the parties to the order or agreement with the following notice 2392
orally or by form: 2393

"NOTICE 2394

As a result of this order or consent agreement, it may be 2395
unlawful for you to possess or purchase a firearm, including a 2396
rifle, pistol, or revolver, or ammunition pursuant to federal law 2397
under 18 U.S.C. 922(g)(8). If you have any questions whether this 2398
law makes it illegal for you to possess or purchase a firearm or 2399
ammunition, you should consult an attorney." 2400

(3) All law enforcement agencies shall establish and maintain 2401
an index for the protection orders and the approved consent 2402
agreements delivered to the agencies pursuant to division (F)(1) 2403
of this section. With respect to each order and consent agreement 2404
delivered, each agency shall note on the index the date and time 2405
that it received the order or consent agreement. 2406

(4) Regardless of whether the petitioner has registered the 2407
order or agreement in the county in which the officer's agency has 2408

jurisdiction pursuant to division (N) of this section, any officer 2409
of a law enforcement agency shall enforce a protection order 2410
issued or consent agreement approved by any court in this state in 2411
accordance with the provisions of the order or agreement, 2412
including removing the respondent from the premises, if 2413
appropriate. 2414

(G) Any proceeding under this section shall be conducted in 2415
accordance with the Rules of Civil Procedure, except that an order 2416
under this section may be obtained with or without bond. An order 2417
issued under this section, other than an ex parte order, that 2418
grants a protection order or approves a consent agreement, that 2419
refuses to grant a protection order or approve a consent agreement 2420
that modifies or terminates a protection order or consent 2421
agreement, or that refuses to modify or terminate a protection 2422
order or consent agreement, is a final, appealable order. The 2423
remedies and procedures provided in this section are in addition 2424
to, and not in lieu of, any other available civil or criminal 2425
remedies. 2426

(H) The filing of proceedings under this section does not 2427
excuse a person from filing any report or giving any notice 2428
required by section 2151.421 of the Revised Code or by any other 2429
law. When a petition under this section alleges domestic violence 2430
against minor children, the court shall report the fact, or cause 2431
reports to be made, to a county, township, or municipal peace 2432
officer under section 2151.421 of the Revised Code. 2433

(I) Any law enforcement agency that investigates a domestic 2434
dispute shall provide information to the family or household 2435
members involved regarding the relief available under this section 2436
and section 2919.26 of the Revised Code. 2437

(J) Notwithstanding any provision of law to the contrary and 2438
regardless of whether a protection order is issued or a consent 2439
agreement is approved by a court of another county or a court of 2440

another state, no court or unit of state or local government shall 2441
charge any fee, cost, deposit, or money in connection with the 2442
filing of a petition pursuant to this section or in connection 2443
with the filing, issuance, registration, or service of a 2444
protection order or consent agreement, or for obtaining a 2445
certified copy of a protection order or consent agreement. 2446

(K)(1) The court shall comply with Chapters 3119., 3121., 2447
3123., and 3125. of the Revised Code when it makes or modifies an 2448
order for child support under this section. 2449

(2) If any person required to pay child support under an 2450
order made under this section on or after April 15, 1985, or 2451
modified under this section on or after December 31, 1986, is 2452
found in contempt of court for failure to make support payments 2453
under the order, the court that makes the finding, in addition to 2454
any other penalty or remedy imposed, shall assess all court costs 2455
arising out of the contempt proceeding against the person and 2456
require the person to pay any reasonable attorney's fees of any 2457
adverse party, as determined by the court, that arose in relation 2458
to the act of contempt. 2459

(L)(1) A person who violates a protection order issued or a 2460
consent agreement approved under this section is subject to the 2461
following sanctions: 2462

(a) Criminal prosecution for a violation of section 2919.27 2463
of the Revised Code, if the violation of the protection order or 2464
consent agreement constitutes a violation of that section; 2465

(b) Punishment for contempt of court. 2466

(2) The punishment of a person for contempt of court for 2467
violation of a protection order issued or a consent agreement 2468
approved under this section does not bar criminal prosecution of 2469
the person for a violation of section 2919.27 of the Revised Code. 2470
However, a person punished for contempt of court is entitled to 2471

credit for the punishment imposed upon conviction of a violation 2472
of that section, and a person convicted of a violation of that 2473
section shall not subsequently be punished for contempt of court 2474
arising out of the same activity. 2475

(M) In all stages of a proceeding under this section, a 2476
petitioner may be accompanied by a victim advocate. 2477

(N)(1) A petitioner who obtains a protection order or consent 2478
agreement under this section or a temporary protection order under 2479
section 2919.26 of the Revised Code may provide notice of the 2480
issuance or approval of the order or agreement to the judicial and 2481
law enforcement officials in any county other than the county in 2482
which the order is issued or the agreement is approved by 2483
registering that order or agreement in the other county pursuant 2484
to division (N)(2) of this section and filing a copy of the 2485
registered order or registered agreement with a law enforcement 2486
agency in the other county in accordance with that division. A 2487
person who obtains a protection order issued by a court of another 2488
state may provide notice of the issuance of the order to the 2489
judicial and law enforcement officials in any county of this state 2490
by registering the order in that county pursuant to section 2491
2919.272 of the Revised Code and filing a copy of the registered 2492
order with a law enforcement agency in that county. 2493

(2) A petitioner may register a temporary protection order, 2494
protection order, or consent agreement in a county other than the 2495
county in which the court that issued the order or approved the 2496
agreement is located in the following manner: 2497

(a) The petitioner shall obtain a certified copy of the order 2498
or agreement from the clerk of the court that issued the order or 2499
approved the agreement and present that certified copy to the 2500
clerk of the court of common pleas or the clerk of a municipal 2501
court or county court in the county in which the order or 2502
agreement is to be registered. 2503

(b) Upon accepting the certified copy of the order or agreement for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order or agreement and give the petitioner a copy of the order or agreement that bears that proof of registration.

(3) The clerk of each court of common pleas, the clerk of each municipal court, and the clerk of each county court shall maintain a registry of certified copies of temporary protection orders, protection orders, or consent agreements that have been issued or approved by courts in other counties and that have been registered with the clerk.

(O)(1) Upon the issuance of a protection order or the approval of a consent agreement under this section, the court shall notify the petitioner in writing of the right of the petitioner to apply with the assistance of an application assistant to the secretary of state under sections 111.31 to 111.40 of the Revised Code to have an address designated by the secretary of state serve as the petitioner's address or the address of the person on whose behalf the protection order was issued or the consent agreement was approved. The petitioner may apply with the assistance of an application assistant to the secretary of state pursuant to those sections to have an address designated by the secretary of state serve as the petitioner's address or the address of the person on whose behalf the protection order was issued or the consent agreement was approved.

(2) As used in division (O)(1) of this section, "application assistant" has the same meaning as in section 111.31 of the Revised Code.

Sec. 3503.15. (A) The secretary of state shall establish and maintain a statewide voter registration database that shall be

continuously available to each board of elections and to other agencies as authorized by law.

(B) The statewide voter registration database established under this section shall be the official list of registered voters for all elections conducted in this state.

(C) The statewide voter registration database established under this section shall, at a minimum, include all of the following:

(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections;

(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections;

(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database;

(4) A search program capable of verifying registered voters and their registration information by name, driver's license number, birth date, social security number, or current address;

(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained.

(D) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code doing all of the following:

(1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter

registration database;	2565
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;	2566 2567 2568 2569
(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code;	2570 2571 2572
(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database;	2573 2574 2575
(5) Establishing a process for annually auditing the information contained in the statewide voter registration database;	2576 2577 2578
<u>(6) Establishing a process to keep the voter registration record of a person who is a program participant under sections 111.31 to 111.40 of the Revised Code confidential and not available for public inspection.</u>	2579 2580 2581 2582
(E) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code.	2583 2584 2585 2586 2587 2588
(F) The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database.	2589 2590 2591 2592 2593
(G)(1) The statewide voter registration database established	2594

under this section shall be made available on a web site of the 2595
office of the secretary of state as follows: 2596

(a) Except as otherwise provided in division (G)(1)(b) of 2597
this section, only the following information from the statewide 2598
voter registration database regarding a registered voter shall be 2599
made available on the web site: 2600

(i) The voter's name; 2601

(ii) The voter's address; 2602

(iii) The voter's precinct number; 2603

(iv) The voter's voting history. 2604

(b) During the thirty days before the day of a primary or 2605
general election, the web site interface of the statewide voter 2606
registration database shall permit a voter to search for the 2607
polling location at which that voter may cast a ballot. 2608

(2) The secretary of state shall establish, by rule adopted 2609
under Chapter 119. of the Revised Code, a process for boards of 2610
elections to notify the secretary of state of changes in the 2611
locations of precinct polling places for the purpose of updating 2612
the information made available on the secretary of state's web 2613
site under division (G)(1)(b) of this section. Those rules shall 2614
require a board of elections, during the thirty days before the 2615
day of a primary or general election, to notify the secretary of 2616
state within one business day of any change to the location of a 2617
precinct polling place within the county. 2618

(3) During the thirty days before the day of a primary or 2619
general election, not later than one business day after receiving 2620
a notification from a county pursuant to division (G)(2) of this 2621
section that the location of a precinct polling place has changed, 2622
the secretary of state shall update that information on the 2623
secretary of state's web site for the purpose of division 2624

(G)(1)(b) of this section. 2625

Sec. 3503.151. Notwithstanding any other provision of Chapter 3503. of the Revised Code, the secretary of state shall maintain the voter registration records for participants in the address confidentiality program under sections 111.32 to 111.40 of the Revised Code who are registered or choose to register to vote. The secretary of state shall process new voter registration records and maintain existing voter registration records in the same manner as county boards of elections. 2626
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Sec. 3509.03. Except as provided in section 3509.031 or division (B) of section 3509.08 of the Revised Code, any qualified elector desiring to vote absent voter's ballots at an election shall make written application for those ballots to the director of elections of the county in which the elector's voting residence is located. The application need not be in any particular form but shall contain all of the following: 2634
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(A) The elector's name; 2641

(B) The elector's signature; 2642

(C) The address at which the elector is registered to vote; 2643

(D) The elector's date of birth; 2644

(E) One of the following: 2645

(1) The elector's driver's license number; 2646

(2) The last four digits of the elector's social security number; 2647
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(3) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of 2649
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the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.

(F) A statement identifying the election for which absent voter's ballots are requested;

(G) A statement that the person requesting the ballots is a qualified elector;

(H) If the request is for primary election ballots, the elector's party affiliation;

(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

A voter who will be outside the United States on the day of any election during a calendar year may use a single federal post card application to apply for absent voter's ballots. Those ballots shall be sent to the voter for use at the primary and general elections in that year and any special election to be held on the day in that year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state unless the voter reports a change in the voter's voting status to the board of elections or the voter's intent to vote in any such election in the precinct in this state where the voter is registered to vote. A single federal postcard application shall be processed by the board of elections pursuant to section 3509.04 of the Revised Code the same as if the voter had applied separately for absent voter's ballots for each election. When mailing absent voter's ballots to a voter who applied for them by single federal post card application, the board shall enclose notification to the voter that the voter must report to the board subsequent changes in the voter's voting

status or the voter's subsequent intent to vote in any such 2685
election in the precinct in this state where the voter is 2686
registered to vote. Such notification shall be in a form 2687
prescribed by the secretary of state. As used in this section, 2688
"voting status" means the voter's name at the time the voter 2689
applied for absent voter's ballots by single federal post card 2690
application and the voter's address outside the United States to 2691
which the voter requested that those ballots be sent. 2692

~~Each~~ Except as provided in section 111.34 of the Revised 2693
Code, each application for absent voter's ballots shall be 2694
delivered to the director not earlier than the first day of 2695
January of the year of the elections for which the absent voter's 2696
ballots are requested or not earlier than ninety days before the 2697
day of the election at which the ballots are to be voted, 2698
whichever is earlier, and not later than twelve noon of the third 2699
day before the day of the election at which the ballots are to be 2700
voted, or not later than the close of regular business hours on 2701
the day before the day of the election at which the ballots are to 2702
be voted if the application is delivered in person to the office 2703
of the board. 2704

Section 2. That existing sections 149.43, 149.45, 319.28, 2705
319.54, 2903.213, 2903.214, 3113.31, 3503.15, and 3509.03 of the 2706
Revised Code are hereby repealed. 2707