

As Introduced

**128th General Assembly
Regular Session
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S. B. No. 107

Senator Kearney

Cosponsors: Senators Turner, Miller, D., Sawyer, Miller, R.

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A B I L L

To amend sections 4112.01 and 4112.05 and to enact 1
sections 2933.84 and 4112.024 of the Revised Code 2
to specify that it is an unlawful discriminatory 3
practice that is within the jurisdiction of the 4
Ohio Civil Rights Commission for any law 5
enforcement agency or officer in Ohio to engage in 6
racial profiling; to require the Commission to 7
compile data from law enforcement agencies 8
regarding routine or spontaneous investigatory 9
activities of the agencies' officers and analyze 10
the data for significantly significant disparities 11
related to the race, ethnicity, national origin, 12
or gender of the subjects of the activities; to 13
provide for Commission access to LEADS to obtain 14
the data and require law enforcement agencies to 15
enter the data on LEADS; and to require law 16
enforcement agencies to maintain a policy designed 17
to eliminate racial profiling by the agency and 18
its officers and to cease existing practices by 19
the agency and its officers that permit or 20
encourage racial profiling. 21

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

Section 1. That sections 4112.01 and 4112.05 be amended and 22
sections 2933.84 and 4112.024 of the Revised Code be enacted to 23
read as follows: 24

Sec. 2933.84. (A) As used in this section, "racial profiling" 25
and "routine or spontaneous investigatory activity" have the same 26
meanings as in section 4112.024 of the Revised Code. 27

(B) Each law enforcement agency in this state that employs or 28
is served by any law enforcement officer shall maintain a policy 29
that is designed to eliminate racial profiling by the agency and 30
its law enforcement officers and to cease existing practices by 31
the agency and its officers that permit or encourage racial 32
profiling. The policy shall include, but shall not be limited to, 33
all of the following: 34

(1) A prohibition on racial profiling by the agency and its 35
law enforcement officers; 36

(2) Provisions for training on racial profiling issues as 37
part of the training of the agency's law enforcement officers; 38

(3) Provisions for facilitating the collection of data to be 39
used by the Ohio civil rights commission pursuant to section 40
4112.023 of the Revised Code, including through the entry of data 41
on the law enforcement automated data system; 42

(4) Procedures for receiving, investigating, and responding 43
meaningfully to complaints alleging racial profiling by the 44
agency's law enforcement officers; 45

(5) A requirement that corrective action be taken when the 46
agency's law enforcement officers are determined to have engaged 47
in racial profiling. 48

Sec. 4112.01. (A) As used in this chapter: 49

(1) "Person" includes one or more individuals, partnerships, 50
associations, organizations, corporations, legal representatives, 51
trustees, trustees in bankruptcy, receivers, and other organized 52
groups of persons. "Person" also includes, but is not limited to, 53
any owner, lessor, assignor, builder, manager, broker, 54
salesperson, appraiser, agent, employee, lending institution, and 55
the state and all political subdivisions, authorities, agencies, 56
boards, and commissions of the state. 57

(2) "Employer" includes the state, any political subdivision 58
of the state, any person employing four or more persons within the 59
state, and any person acting directly or indirectly in the 60
interest of an employer. 61

(3) "Employee" means an individual employed by any employer 62
but does not include any individual employed in the domestic 63
service of any person. 64

(4) "Labor organization" includes any organization that 65
exists, in whole or in part, for the purpose of collective 66
bargaining or of dealing with employers concerning grievances, 67
terms or conditions of employment, or other mutual aid or 68
protection in relation to employment. 69

(5) "Employment agency" includes any person regularly 70
undertaking, with or without compensation, to procure 71
opportunities to work or to procure, recruit, refer, or place 72
employees. 73

(6) "Commission" means the Ohio civil rights commission 74
created by section 4112.03 of the Revised Code. 75

(7) "Discriminate" includes segregate or separate. 76

(8) "Unlawful discriminatory practice" means any act 77
prohibited by section 4112.02, 4112.021, ~~or 4112.022,~~ or 4112.024 78
of the Revised Code. 79

(9) "Place of public accommodation" means any inn, 80
restaurant, eating house, barbershop, public conveyance by air, 81
land, or water, theater, store, other place for the sale of 82
merchandise, or any other place of public accommodation or 83
amusement of which the accommodations, advantages, facilities, or 84
privileges are available to the public. 85

(10) "Housing accommodations" includes any building or 86
structure, or portion of a building or structure, that is used or 87
occupied or is intended, arranged, or designed to be used or 88
occupied as the home residence, dwelling, dwelling unit, or 89
sleeping place of one or more individuals, groups, or families 90
whether or not living independently of each other; and any vacant 91
land offered for sale or lease. "Housing accommodations" also 92
includes any housing accommodations held or offered for sale or 93
rent by a real estate broker, salesperson, or agent, by any other 94
person pursuant to authorization of the owner, by the owner, or by 95
the owner's legal representative. 96

(11) "Restrictive covenant" means any specification limiting 97
the transfer, rental, lease, or other use of any housing 98
accommodations because of race, color, religion, sex, military 99
status, familial status, national origin, disability, or ancestry, 100
or any limitation based upon affiliation with or approval by any 101
person, directly or indirectly, employing race, color, religion, 102
sex, military status, familial status, national origin, 103
disability, or ancestry as a condition of affiliation or approval. 104

(12) "Burial lot" means any lot for the burial of deceased 105
persons within any public burial ground or cemetery, including, 106
but not limited to, cemeteries owned and operated by municipal 107
corporations, townships, or companies or associations incorporated 108
for cemetery purposes. 109

(13) "Disability" means a physical or mental impairment that 110
substantially limits one or more major life activities, including 111

the functions of caring for one's self, performing manual tasks, 112
walking, seeing, hearing, speaking, breathing, learning, and 113
working; a record of a physical or mental impairment; or being 114
regarded as having a physical or mental impairment. 115

(14) Except as otherwise provided in section 4112.021 of the 116
Revised Code, "age" means at least forty years old. 117

(15) "Familial status" means either of the following: 118

(a) One or more individuals who are under eighteen years of 119
age and who are domiciled with a parent or guardian having legal 120
custody of the individual or domiciled, with the written 121
permission of the parent or guardian having legal custody, with a 122
designee of the parent or guardian; 123

(b) Any person who is pregnant or in the process of securing 124
legal custody of any individual who is under eighteen years of 125
age. 126

(16)(a) Except as provided in division (A)(16)(b) of this 127
section, "physical or mental impairment" includes any of the 128
following: 129

(i) Any physiological disorder or condition, cosmetic 130
disfigurement, or anatomical loss affecting one or more of the 131
following body systems: neurological; musculoskeletal; special 132
sense organs; respiratory, including speech organs; 133
cardiovascular; reproductive; digestive; genito-urinary; hemic and 134
lymphatic; skin; and endocrine; 135

(ii) Any mental or psychological disorder, including, but not 136
limited to, mental retardation, organic brain syndrome, emotional 137
or mental illness, and specific learning disabilities; 138

(iii) Diseases and conditions, including, but not limited to, 139
orthopedic, visual, speech, and hearing impairments, cerebral 140
palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, 141

cancer, heart disease, diabetes, human immunodeficiency virus	142
infection, mental retardation, emotional illness, drug addiction,	143
and alcoholism.	144
(b) "Physical or mental impairment" does not include any of	145
the following:	146
(i) Homosexuality and bisexuality;	147
(ii) Transvestism, transsexualism, pedophilia, exhibitionism,	148
voyeurism, gender identity disorders not resulting from physical	149
impairments, or other sexual behavior disorders;	150
(iii) Compulsive gambling, kleptomania, or pyromania;	151
(iv) Psychoactive substance use disorders resulting from the	152
current illegal use of a controlled substance or the current use	153
of alcoholic beverages.	154
(17) "Dwelling unit" means a single unit of residence for a	155
family of one or more persons.	156
(18) "Common use areas" means rooms, spaces, or elements	157
inside or outside a building that are made available for the use	158
of residents of the building or their guests, and includes, but is	159
not limited to, hallways, lounges, lobbies, laundry rooms, refuse	160
rooms, mail rooms, recreational areas, and passageways among and	161
between buildings.	162
(19) "Public use areas" means interior or exterior rooms or	163
spaces of a privately or publicly owned building that are made	164
available to the general public.	165
(20) "Controlled substance" has the same meaning as in	166
section 3719.01 of the Revised Code.	167
(21) "Disabled tenant" means a tenant or prospective tenant	168
who is a person with a disability.	169
(22) "Military status" means a person's status in "service in	170
the uniformed services" as defined in section 5923.05 of the	171

Revised Code. 172

(B) For the purposes of divisions (A) to (F) of section 173
4112.02 of the Revised Code, the terms "because of sex" and "on 174
the basis of sex" include, but are not limited to, because of or 175
on the basis of pregnancy, any illness arising out of and 176
occurring during the course of a pregnancy, childbirth, or related 177
medical conditions. Women affected by pregnancy, childbirth, or 178
related medical conditions shall be treated the same for all 179
employment-related purposes, including receipt of benefits under 180
fringe benefit programs, as other persons not so affected but 181
similar in their ability or inability to work, and nothing in 182
division (B) of section 4111.17 of the Revised Code shall be 183
interpreted to permit otherwise. This division shall not be 184
construed to require an employer to pay for health insurance 185
benefits for abortion, except where the life of the mother would 186
be endangered if the fetus were carried to term or except where 187
medical complications have arisen from the abortion, provided that 188
nothing in this division precludes an employer from providing 189
abortion benefits or otherwise affects bargaining agreements in 190
regard to abortion. 191

Sec. 4112.024. (A) As used in this section: 192

(1) "False stop" means a traffic stop of a driver or 193
pedestrian stop of a person by a law enforcement officer when the 194
officer gives no citation or warning to the driver or person. 195

(2) "Racial profiling" means the practice of a law 196
enforcement officer or law enforcement agency that relies, to any 197
degree, on race, ethnicity, or national origin in selecting which 198
individual to subject to any routine or spontaneous investigatory 199
activity or in deciding upon the scope and substance of any law 200
enforcement activity following an initial investigatory procedure, 201
except when there is trustworthy information that is relevant to 202

the locality and time frame and that links a person of a 203
particular race, ethnicity, or national origin to an identified 204
criminal incident or scheme. 205

(3)(a) "Routine or spontaneous investigatory activity" refers 206
to an activity by a law enforcement officer that is any of the 207
following: 208

(i) An interview with a person; 209

(ii) A traffic stop or pedestrian stop of a person; 210

(iii) A frisk or another type of body search of a person; 211

(iv) A consensual or nonconsensual search of the person or 212
any possession, including any vehicle, of a motorist or 213
pedestrian; 214

(v) An immigration-related apprehension, detention, or 215
investigation of a person. 216

(b) "Routine or spontaneous investigatory activity" does not 217
include any contact with a person that is for the sole purpose of 218
obtaining or asking for information about an investigation of a 219
complaint, crime, or suspicious activity. 220

(B) It shall be an unlawful discriminatory practice for any 221
law enforcement agency in this state or any law enforcement 222
officer employed by or serving any law enforcement agency in this 223
state to engage in racial profiling. 224

(C) Not later than January 1, 2010, the commission shall 225
inform law enforcement agencies in this state that employ or are 226
served by any law enforcement officer of the types of information 227
the commission needs to perform its duties under divisions (E) and 228
(F) of this section and shall inform the agencies that, on and 229
after January 1, 2010, they must include all of those types of 230
information for each entry the agencies make on the law 231
enforcement automated data system for a routine or spontaneous 232

investigatory activity. 233

(D) The commission, as a governmental, noncriminal justice agency created by state statute that has a mission to enforce or assist in enforcing federal, state, and local laws and ordinances, shall be entitled to participate in and have access to the law enforcement automated data system for the purposes of collecting, compiling, maintaining, and analyzing data from law enforcement agencies as described in divisions (E) and (F) of this section. 234
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(E) Through its access to the law enforcement automated data system granted under division (D) of this section, on and after January 1, 2010, the commission shall collect, compile, and maintain data from all law enforcement agencies in this state regarding all routine or spontaneous investigatory activities of the officers of the agencies. The commission shall compile and maintain the data in five separate data sets. One data set shall contain the data for all persons who were the subjects of the routine or spontaneous investigatory activities, one data set shall separate the data into subsets that are based on the race of the persons who were the subjects of the activities, one data set shall separate the data into subsets that are based on the ethnicity of the persons who were the subjects of the activities, one data set shall separate the data into subsets that are based on the national origin of the persons who were the subjects of the activities, and one data set shall separate the data into subsets that are based on the gender of the persons who were the subjects of the activities. In each data set, the information provided for each routine or spontaneous investigatory activity shall include the date, time, and location of the activity, shall indicate whether or not a search of any vehicle was conducted, and shall indicate if any search conducted resulted in a seizure of any item. 241
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(F) For calendar year 2010 and each calendar year thereafter, 264

the commission shall analyze the data collected, compiled, and 265
maintained as described in division (E) of this section for any 266
significantly significant disparities related to the race, 267
ethnicity, national origin, or gender of the persons who were the 268
subjects of the routine or spontaneous investigatory activities, 269
including, but not limited to, any of the following: 270

(1) Any disparity in the percentage of drivers or pedestrians 271
who were stopped in a particular neighborhood and who are of a 272
particular race, ethnicity, national origin, or gender relative to 273
the total number of drivers or pedestrians passing through that 274
neighborhood who were stopped and relative to the percentage of 275
drivers or pedestrians who were stopped in that neighborhood and 276
who are not of that race, ethnicity, national origin, or gender; 277

(2) Any disparity in the percentage of false stops of drivers 278
or pedestrians who are of a particular race, ethnicity, national 279
origin, or gender relative to the total number of drivers or 280
pedestrians who were subjected to a false stop and relative to the 281
percentage of false stops of drivers or pedestrians who are not of 282
that race, ethnicity, national origin, or gender; 283

(3) Any disparity in the frequency of searches performed on 284
drivers who are of a particular race, ethnicity, national origin, 285
or gender relative to the total number of searches performed on 286
drivers and relative to the frequency of searches performed on 287
drivers who are not of that race, ethnicity, national origin, or 288
gender. 289

(G) On or before May 1, 2011, and on or before May 1 in each 290
calendar year thereafter, the commission shall prepare a report of 291
the results of the data analysis described in division (F) of this 292
section for the preceding calendar year and shall provide a copy 293
of the report to both houses of the general assembly, the 294
governor, and the attorney general. 295

Sec. 4112.05. (A) The commission, as provided in this 296
section, shall prevent any person from engaging in unlawful 297
discriminatory practices, provided that, before instituting the 298
formal hearing authorized by division (B) of this section, it 299
shall attempt, by informal methods of conference, conciliation, 300
and persuasion, to induce compliance with this chapter. 301

(B)(1) Any person may file a charge with the commission 302
alleging that another person has engaged or is engaging in an 303
unlawful discriminatory practice. In the case of a charge alleging 304
an unlawful discriminatory practice described in division (A), 305
(B), (C), (D), (E), (F), (G), (I), or (J) of section 4112.02 or in 306
section 4112.021 ~~or~~, 4112.022, or 4112.024 of the Revised Code, 307
the charge shall be in writing and under oath and shall be filed 308
with the commission within six months after the alleged unlawful 309
discriminatory practice was committed. In the case of a charge 310
alleging an unlawful discriminatory practice described in division 311
(H) of section 4112.02 of the Revised Code, the charge shall be in 312
writing and under oath and shall be filed with the commission 313
within one year after the alleged unlawful discriminatory practice 314
was committed. 315

(2) Upon receiving a charge, the commission may initiate a 316
preliminary investigation to determine whether it is probable that 317
an unlawful discriminatory practice has been or is being engaged 318
in. The commission also may conduct, upon its own initiative and 319
independent of the filing of any charges, a preliminary 320
investigation relating to any of the unlawful discriminatory 321
practices described in division (A), (B), (C), (D), (E), (F), (I), 322
or (J) of section 4112.02 or in section 4112.021 ~~or~~, 4112.022, or 323
4112.024 of the Revised Code. Prior to a notification of a 324
complainant under division (B)(4) of this section or prior to the 325
commencement of informal methods of conference, conciliation, and 326
persuasion under that division, the members of the commission and 327

the officers and employees of the commission shall not make public 328
in any manner and shall retain as confidential all information 329
that was obtained as a result of or that otherwise pertains to a 330
preliminary investigation other than one described in division 331
(B)(3) of this section. 332

(3)(a) Unless it is impracticable to do so and subject to its 333
authority under division (B)(3)(d) of this section, the commission 334
shall complete a preliminary investigation of a charge filed 335
pursuant to division (B)(1) of this section that alleges an 336
unlawful discriminatory practice described in division (H) of 337
section 4112.02 of the Revised Code, and shall take one of the 338
following actions, within one hundred days after the filing of the 339
charge: 340

(i) Notify the complainant and the respondent that it is not 341
probable that an unlawful discriminatory practice described in 342
division (H) of section 4112.02 of the Revised Code has been or is 343
being engaged in and that the commission will not issue a 344
complaint in the matter; 345

(ii) Initiate a complaint and schedule it for informal 346
methods of conference, conciliation, and persuasion; 347

(iii) Initiate a complaint and refer it to the attorney 348
general with a recommendation to seek a temporary or permanent 349
injunction or a temporary restraining order. If this action is 350
taken, the attorney general shall apply, as expeditiously as 351
possible after receipt of the complaint, to the court of common 352
pleas of the county in which the unlawful discriminatory practice 353
allegedly occurred for the appropriate injunction or order, and 354
the court shall hear and determine the application as 355
expeditiously as possible. 356

(b) If it is not practicable to comply with the requirements 357
of division (B)(3)(a) of this section within the one-hundred-day 358

period described in that division, the commission shall notify the complainant and the respondent in writing of the reasons for the noncompliance.

(c) Prior to the issuance of a complaint under division (B)(3)(a)(ii) or (iii) of this section or prior to a notification of the complainant and the respondent under division (B)(3)(a)(i) of this section, the members of the commission and the officers and employees of the commission shall not make public in any manner and shall retain as confidential all information that was obtained as a result of or that otherwise pertains to a preliminary investigation of a charge filed pursuant to division (B)(1) of this section that alleges an unlawful discriminatory practice described in division (H) of section 4112.05 of the Revised Code.

(d) Notwithstanding the types of action described in divisions (B)(3)(a)(ii) and (iii) of this section, prior to the issuance of a complaint or the referral of a complaint to the attorney general and prior to endeavoring to eliminate an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code by informal methods of conference, conciliation, and persuasion, the commission may seek a temporary or permanent injunction or a temporary restraining order in the court of common pleas of the county in which the unlawful discriminatory practice allegedly occurred.

(4) If the commission determines after a preliminary investigation other than one described in division (B)(3) of this section that it is not probable that an unlawful discriminatory practice has been or is being engaged in, it shall notify any complainant under division (B)(1) of this section that it has so determined and that it will not issue a complaint in the matter. If the commission determines after a preliminary investigation other than the one described in division (B)(3) of this section

that it is probable that an unlawful discriminatory practice has 391
been or is being engaged in, it shall endeavor to eliminate the 392
practice by informal methods of conference, conciliation, and 393
persuasion. 394

(5) Nothing said or done during informal methods of 395
conference, conciliation, and persuasion under this section shall 396
be disclosed by any member of the commission or its staff or be 397
used as evidence in any subsequent hearing or other proceeding. 398
If, after a preliminary investigation and the use of informal 399
methods of conference, conciliation, and persuasion under this 400
section, the commission is satisfied that any unlawful 401
discriminatory practice will be eliminated, it may treat the 402
charge involved as being conciliated and enter that disposition on 403
the records of the commission. If the commission fails to effect 404
the elimination of an unlawful discriminatory practice by informal 405
methods of conference, conciliation, and persuasion under this 406
section and to obtain voluntary compliance with this chapter, the 407
commission shall issue and cause to be served upon any person, 408
including the respondent against whom a complainant has filed a 409
charge pursuant to division (B)(1) of this section, a complaint 410
stating the charges involved and containing a notice of an 411
opportunity for a hearing before the commission, a member of the 412
commission, or a hearing examiner at a place that is stated in the 413
notice and that is located within the county in which the alleged 414
unlawful discriminatory practice has occurred or is occurring or 415
in which the respondent resides or transacts business. The hearing 416
shall be held not less than thirty days after the service of the 417
complaint upon the complainant, the aggrieved persons other than 418
the complainant on whose behalf the complaint is issued, and the 419
respondent, unless the complainant, an aggrieved person, or the 420
respondent elects to proceed under division (A)(2) of section 421
4112.051 of the Revised Code when that division is applicable. If 422
a complaint pertains to an alleged unlawful discriminatory 423

practice described in division (H) of section 4112.02 of the Revised Code, the complainant shall notify the complainant, an aggrieved person, and the respondent of the right of the complainant, an aggrieved person, or the respondent to elect to proceed with the administrative hearing process under this section or to proceed under division (A)(2) of section 4112.051 of the Revised Code.

(6) The attorney general shall represent the commission at any hearing held pursuant to division (B)(5) of this section and shall present the evidence in support of the complaint.

(7) Any complaint issued pursuant to division (B)(5) of this section after the filing of a charge under division (B)(1) of this section shall be so issued within one year after the complainant filed the charge with respect to an alleged unlawful discriminatory practice.

(C) Any complaint issued pursuant to division (B) of this section may be amended by the commission, a member of the commission, or the hearing examiner conducting a hearing under division (B) of this section, at any time prior to or during the hearing. The respondent has the right to file an answer or an amended answer to the original and amended complaints and to appear at the hearing in person, by attorney, or otherwise to examine and cross-examine witnesses.

(D) The complainant shall be a party to a hearing under division (B) of this section, and any person who is an indispensable party to a complete determination or settlement of a question involved in the hearing shall be joined. Any person who has or claims an interest in the subject of the hearing and in obtaining or preventing relief against the unlawful discriminatory practices complained of may be permitted, in the discretion of the person or persons conducting the hearing, to appear for the presentation of oral or written arguments.

(E) In any hearing under division (B) of this section, the commission, a member of the commission, or the hearing examiner shall not be bound by the Rules of Evidence but, in ascertaining the practices followed by the respondent, shall take into account all reliable, probative, and substantial statistical or other evidence produced at the hearing that may tend to prove the existence of a predetermined pattern of employment or membership, provided that nothing contained in this section shall be construed to authorize or require any person to observe the proportion that persons of any race, color, religion, sex, military status, familial status, national origin, disability, age, or ancestry bear to the total population or in accordance with any criterion other than the individual qualifications of the applicant.

(F) The testimony taken at a hearing under division (B) of this section shall be under oath and shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission, upon the service of a notice upon the complainant and the respondent that indicates an opportunity to be present, may take further testimony or hear argument.

(G)(1) If, upon all reliable, probative, and substantial evidence presented at a hearing under division (B) of this section, the commission determines that the respondent has engaged in, or is engaging in, any unlawful discriminatory practice, whether against the complainant or others, the commission shall state its findings of fact and conclusions of law and shall issue and, subject to the provisions of Chapter 119. of the Revised Code, cause to be served on the respondent an order requiring the respondent to cease and desist from the unlawful discriminatory practice, requiring the respondent to take any further affirmative or other action that will effectuate the purposes of this chapter, including, but not limited to, hiring, reinstatement, or upgrading of employees with or without back pay, or admission or restoration

to union membership, and requiring the respondent to report to the 488
commission the manner of compliance. If the commission directs 489
payment of back pay, it shall make allowance for interim earnings. 490
If it finds a violation of division (H) of section 4112.02 of the 491
Revised Code, the commission additionally shall require the 492
respondent to pay actual damages and reasonable attorney's fees, 493
and may award to the complainant punitive damages as follows: 494

(a) If division (G)(1)(b) or (c) of this section does not 495
apply, punitive damages in an amount not to exceed ten thousand 496
dollars; 497

(b) If division (G)(1)(c) of this section does not apply and 498
if the respondent has been determined by a final order of the 499
commission or by a final judgment of a court to have committed one 500
violation of division (H) of section 4112.02 of the Revised Code 501
during the five-year period immediately preceding the date on 502
which a complaint was issued pursuant to division (B) of this 503
section, punitive damages in an amount not to exceed twenty-five 504
thousand dollars; 505

(c) If the respondent has been determined by a final order of 506
the commission or by a final judgment of a court to have committed 507
two or more violations of division (H) of section 4112.02 of the 508
Revised Code during the seven-year period immediately preceding 509
the date on which a complaint was issued pursuant to division (B) 510
of this section, punitive damages in an amount not to exceed fifty 511
thousand dollars. 512

(2) Upon the submission of reports of compliance, the 513
commission may issue a declaratory order stating that the 514
respondent has ceased to engage in particular unlawful 515
discriminatory practices. 516

(H) If the commission finds that no probable cause exists for 517
crediting charges of unlawful discriminatory practices or if, upon 518

all the evidence presented at a hearing under division (B) of this 519
section on a charge, the commission finds that a respondent has 520
not engaged in any unlawful discriminatory practice against the 521
complainant or others, it shall state its findings of fact and 522
shall issue and cause to be served on the complainant an order 523
dismissing the complaint as to the respondent. A copy of the order 524
shall be delivered in all cases to the attorney general and any 525
other public officers whom the commission considers proper. 526

(I) Until the time period for appeal set forth in division 527
(H) of section 4112.06 of the Revised Code expires, the 528
commission, subject to the provisions of Chapter 119. of the 529
Revised Code, at any time, upon reasonable notice, and in the 530
manner it considers proper, may modify or set aside, in whole or 531
in part, any finding or order made by it under this section. 532

Section 2. That existing sections 4112.01 and 4112.05 of the 533
Revised Code are hereby repealed. 534

Section 3. Sections 1 and 2 of this act shall take effect on 535
October 1, 2009. 536