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Sub. H. B. No. 162

Representatives Stebelton, Bulp

Cosponsors: Representatives Adams, J., Antonio, Barnes, Blessing, Butler, Carey, Combs, Derickson, Dovilla, Fende, Murray, Newbold, Pillich, Rosenberger, Martin, Fedor, Hagan, C., Landis, Milkovich, Yuko, Adams, R., Amstutz, Anielski, Ashford, Baker, Balderson, Beck, Blair, Boose, Brenner, Buchy, Carney, Celeste, Clyde, Conditt, Damschroder, DeGeeter, Driehaus, Gardner, Garland, Gentile, Gerberry, Goodwin, Goyal, Hackett, Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Huffman, Johnson, Kozlowski, Letson, Lundy, Maag, Mallory, McClain, McKenney, Mecklenborg, O'Brien, Patmon, Peterson, Phillips, Reece, Roegner, Ruhl, Sears, Slaby, Slesnick, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Thompson, Uecker, Weddington, Winburn, Young Speaker Batchelder

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A B I L L

To amend sections 109.572, 124.23, and 5903.10 and to 1
enact sections 5903.101 and 5903.102 of the 2
Revised Code to provide certain professional 3
licensing and certification rights to service 4
members, spouses of service members, and veterans, 5
and to eliminate the requirement that a veteran be 6
a resident of Ohio to qualify to receive the 7
veterans preference on civil service examinations. 8

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

Section 1. That sections 109.572, 124.23, and 5903.10 be 9

amended and sections 5903.101 and 5903.102 of the Revised Code be 10
enacted to read as follows: 11

Sec. 109.572. (A)(1) Upon receipt of a request pursuant to 12
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, 13
a completed form prescribed pursuant to division (C)(1) of this 14
section, and a set of fingerprint impressions obtained in the 15
manner described in division (C)(2) of this section, the 16
superintendent of the bureau of criminal identification and 17
investigation shall conduct a criminal records check in the manner 18
described in division (B) of this section to determine whether any 19
information exists that indicates that the person who is the 20
subject of the request previously has been convicted of or pleaded 21
guilty to any of the following: 22

(a) A violation of section 2903.01, 2903.02, 2903.03, 23
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 24
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 25
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 26
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 27
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 28
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 29
2925.06, or 3716.11 of the Revised Code, felonious sexual 30
penetration in violation of former section 2907.12 of the Revised 31
Code, a violation of section 2905.04 of the Revised Code as it 32
existed prior to July 1, 1996, a violation of section 2919.23 of 33
the Revised Code that would have been a violation of section 34
2905.04 of the Revised Code as it existed prior to July 1, 1996, 35
had the violation been committed prior to that date, or a 36
violation of section 2925.11 of the Revised Code that is not a 37
minor drug possession offense; 38

(b) A violation of an existing or former law of this state, 39
any other state, or the United States that is substantially 40

equivalent to any of the offenses listed in division (A)(1)(a) of 41
this section. 42

(2) On receipt of a request pursuant to section 5123.081 of 43
the Revised Code with respect to an applicant for employment in 44
any position with the department of developmental disabilities, 45
pursuant to section 5126.28 of the Revised Code with respect to an 46
applicant for employment in any position with a county board of 47
developmental disabilities, or pursuant to section 5126.281 of the 48
Revised Code with respect to an applicant for employment in a 49
direct services position with an entity contracting with a county 50
board for employment, a completed form prescribed pursuant to 51
division (C)(1) of this section, and a set of fingerprint 52
impressions obtained in the manner described in division (C)(2) of 53
this section, the superintendent of the bureau of criminal 54
identification and investigation shall conduct a criminal records 55
check. The superintendent shall conduct the criminal records check 56
in the manner described in division (B) of this section to 57
determine whether any information exists that indicates that the 58
person who is the subject of the request has been convicted of or 59
pleaded guilty to any of the following: 60

(a) A violation of section 2903.01, 2903.02, 2903.03, 61
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 62
2903.341, 2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 63
2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 64
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 65
2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 66
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 67
2925.03, or 3716.11 of the Revised Code; 68

(b) An existing or former municipal ordinance or law of this 69
state, any other state, or the United States that is substantially 70
equivalent to any of the offenses listed in division (A)(2)(a) of 71
this section. 72

(3) On receipt of a request pursuant to section 173.27, 73
173.394, 3712.09, 3721.121, or 3722.151 of the Revised Code, a 74
completed form prescribed pursuant to division (C)(1) of this 75
section, and a set of fingerprint impressions obtained in the 76
manner described in division (C)(2) of this section, the 77
superintendent of the bureau of criminal identification and 78
investigation shall conduct a criminal records check with respect 79
to any person who has applied for employment in a position for 80
which a criminal records check is required by those sections. The 81
superintendent shall conduct the criminal records check in the 82
manner described in division (B) of this section to determine 83
whether any information exists that indicates that the person who 84
is the subject of the request previously has been convicted of or 85
pleaded guilty to any of the following: 86

(a) A violation of section 2903.01, 2903.02, 2903.03, 87
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 88
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 89
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 90
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 91
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 92
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 93
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 94
2925.22, 2925.23, or 3716.11 of the Revised Code; 95

(b) An existing or former law of this state, any other state, 96
or the United States that is substantially equivalent to any of 97
the offenses listed in division (A)(3)(a) of this section. 98

(4) On receipt of a request pursuant to section 3701.881 of 99
the Revised Code with respect to an applicant for employment with 100
a home health agency as a person responsible for the care, 101
custody, or control of a child, a completed form prescribed 102
pursuant to division (C)(1) of this section, and a set of 103
fingerprint impressions obtained in the manner described in 104

division (C)(2) of this section, the superintendent of the bureau 105
of criminal identification and investigation shall conduct a 106
criminal records check. The superintendent shall conduct the 107
criminal records check in the manner described in division (B) of 108
this section to determine whether any information exists that 109
indicates that the person who is the subject of the request 110
previously has been convicted of or pleaded guilty to any of the 111
following: 112

(a) A violation of section 2903.01, 2903.02, 2903.03, 113
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 114
2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 2907.04, 115
2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.21, 116
2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 117
2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 118
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 119
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code or a 120
violation of section 2925.11 of the Revised Code that is not a 121
minor drug possession offense; 122

(b) An existing or former law of this state, any other state, 123
or the United States that is substantially equivalent to any of 124
the offenses listed in division (A)(4)(a) of this section. 125

(5) On receipt of a request pursuant to section 5111.032, 126
5111.033, or 5111.034 of the Revised Code, a completed form 127
prescribed pursuant to division (C)(1) of this section, and a set 128
of fingerprint impressions obtained in the manner described in 129
division (C)(2) of this section, the superintendent of the bureau 130
of criminal identification and investigation shall conduct a 131
criminal records check. The superintendent shall conduct the 132
criminal records check in the manner described in division (B) of 133
this section to determine whether any information exists that 134
indicates that the person who is the subject of the request 135
previously has been convicted of, has pleaded guilty to, or has 136

been found eligible for intervention in lieu of conviction for any 137
of the following, regardless of the date of the conviction, the 138
date of entry of the guilty plea, or the date the person was found 139
eligible for intervention in lieu of conviction: 140

(a) A violation of section 959.13, 2903.01, 2903.02, 2903.03, 141
2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 142
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 143
2905.11, 2905.12, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 144
2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 145
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 146
2909.03, 2909.04, 2909.05, 2909.22, 2909.23, 2909.24, 2911.01, 147
2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 148
2913.05, 2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 149
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 150
2913.48, 2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.11, 151
2917.31, 2919.12, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 152
2921.11, 2921.13, 2921.34, 2921.35, 2921.36, 2923.01, 2923.02, 153
2923.03, 2923.12, 2923.13, 2923.161, 2923.32, 2925.02, 2925.03, 154
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.14, 2925.22, 155
2925.23, 2927.12, or 3716.11 of the Revised Code, felonious sexual 156
penetration in violation of former section 2907.12 of the Revised 157
Code, a violation of section 2905.04 of the Revised Code as it 158
existed prior to July 1, 1996, a violation of section 2919.23 of 159
the Revised Code that would have been a violation of section 160
2905.04 of the Revised Code as it existed prior to July 1, 1996, 161
had the violation been committed prior to that date; 162

(b) A violation of an existing or former municipal ordinance 163
or law of this state, any other state, or the United States that 164
is substantially equivalent to any of the offenses listed in 165
division (A)(5)(a) of this section. 166

(6) On receipt of a request pursuant to section 3701.881 of 167
the Revised Code with respect to an applicant for employment with 168

a home health agency in a position that involves providing direct care to an older adult, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(6)(a) of this section.

(7) When conducting a criminal records check upon a request pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, in addition to the determination made under division (A)(1) of this section, the superintendent shall determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any offense specified in section 3319.31 of the Revised Code.

(8) On receipt of a request pursuant to section 2151.86 of

the Revised Code, a completed form prescribed pursuant to division 201
(C)(1) of this section, and a set of fingerprint impressions 202
obtained in the manner described in division (C)(2) of this 203
section, the superintendent of the bureau of criminal 204
identification and investigation shall conduct a criminal records 205
check in the manner described in division (B) of this section to 206
determine whether any information exists that indicates that the 207
person who is the subject of the request previously has been 208
convicted of or pleaded guilty to any of the following: 209

(a) A violation of section 959.13, 2903.01, 2903.02, 2903.03, 210
2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 211
2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 212
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 213
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 214
2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 215
2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2917.01, 2917.02, 216
2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 217
2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2927.12, or 3716.11 218
of the Revised Code, a violation of section 2905.04 of the Revised 219
Code as it existed prior to July 1, 1996, a violation of section 220
2919.23 of the Revised Code that would have been a violation of 221
section 2905.04 of the Revised Code as it existed prior to July 1, 222
1996, had the violation been committed prior to that date, a 223
violation of section 2925.11 of the Revised Code that is not a 224
minor drug possession offense, two or more OVI or OVUAC violations 225
committed within the three years immediately preceding the 226
submission of the application or petition that is the basis of the 227
request, or felonious sexual penetration in violation of former 228
section 2907.12 of the Revised Code; 229

(b) A violation of an existing or former law of this state, 230
any other state, or the United States that is substantially 231
equivalent to any of the offenses listed in division (A)(8)(a) of 232

this section.	233
(9) Upon receipt of a request pursuant to section 5104.012 or	234
5104.013 of the Revised Code, a completed form prescribed pursuant	235
to division (C)(1) of this section, and a set of fingerprint	236
impressions obtained in the manner described in division (C)(2) of	237
this section, the superintendent of the bureau of criminal	238
identification and investigation shall conduct a criminal records	239
check in the manner described in division (B) of this section to	240
determine whether any information exists that indicates that the	241
person who is the subject of the request has been convicted of or	242
pleaded guilty to any of the following:	243
(a) A violation of section 2903.01, 2903.02, 2903.03,	244
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.22,	245
2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04,	246
2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22,	247
2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323,	248
2911.01, 2911.02, 2911.11, 2911.12, 2913.02, 2913.03, 2913.04,	249
2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32,	250
2913.33, 2913.34, 2913.40, 2913.41, 2913.42, 2913.43, 2913.44,	251
2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2919.12,	252
2919.22, 2919.24, 2919.25, 2921.11, 2921.13, 2923.01, 2923.12,	253
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or	254
3716.11 of the Revised Code, felonious sexual penetration in	255
violation of former section 2907.12 of the Revised Code, a	256
violation of section 2905.04 of the Revised Code as it existed	257
prior to July 1, 1996, a violation of section 2919.23 of the	258
Revised Code that would have been a violation of section 2905.04	259
of the Revised Code as it existed prior to July 1, 1996, had the	260
violation been committed prior to that date, a violation of	261
section 2925.11 of the Revised Code that is not a minor drug	262
possession offense, a violation of section 2923.02 or 2923.03 of	263
the Revised Code that relates to a crime specified in this	264

division, or a second violation of section 4511.19 of the Revised Code within five years of the date of application for licensure or certification. 265
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(b) A violation of an existing or former law of this state, 268
any other state, or the United States that is substantially 269
equivalent to any of the offenses or violations described in 270
division (A)(9)(a) of this section. 271

(10) Upon receipt of a request pursuant to section 5153.111 272
of the Revised Code, a completed form prescribed pursuant to 273
division (C)(1) of this section, and a set of fingerprint 274
impressions obtained in the manner described in division (C)(2) of 275
this section, the superintendent of the bureau of criminal 276
identification and investigation shall conduct a criminal records 277
check in the manner described in division (B) of this section to 278
determine whether any information exists that indicates that the 279
person who is the subject of the request previously has been 280
convicted of or pleaded guilty to any of the following: 281

(a) A violation of section 2903.01, 2903.02, 2903.03, 282
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 283
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 284
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 285
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 286
2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 287
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 288
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, 289
felonious sexual penetration in violation of former section 290
2907.12 of the Revised Code, a violation of section 2905.04 of the 291
Revised Code as it existed prior to July 1, 1996, a violation of 292
section 2919.23 of the Revised Code that would have been a 293
violation of section 2905.04 of the Revised Code as it existed 294
prior to July 1, 1996, had the violation been committed prior to 295
that date, or a violation of section 2925.11 of the Revised Code 296

that is not a minor drug possession offense; 297

(b) A violation of an existing or former law of this state, 298
any other state, or the United States that is substantially 299
equivalent to any of the offenses listed in division (A)(10)(a) of 300
this section. 301

(11) On receipt of a request for a criminal records check 302
from an individual pursuant to section 4749.03 or 4749.06 of the 303
Revised Code, accompanied by a completed copy of the form 304
prescribed in division (C)(1) of this section and a set of 305
fingerprint impressions obtained in a manner described in division 306
(C)(2) of this section, the superintendent of the bureau of 307
criminal identification and investigation shall conduct a criminal 308
records check in the manner described in division (B) of this 309
section to determine whether any information exists indicating 310
that the person who is the subject of the request has been 311
convicted of or pleaded guilty to a felony in this state or in any 312
other state. If the individual indicates that a firearm will be 313
carried in the course of business, the superintendent shall 314
require information from the federal bureau of investigation as 315
described in division (B)(2) of this section. The superintendent 316
shall report the findings of the criminal records check and any 317
information the federal bureau of investigation provides to the 318
director of public safety. 319

(12) On receipt of a request pursuant to section 1321.37, 320
1321.53, 1321.531, 1322.03, 1322.031, or 4763.05 of the Revised 321
Code, a completed form prescribed pursuant to division (C)(1) of 322
this section, and a set of fingerprint impressions obtained in the 323
manner described in division (C)(2) of this section, the 324
superintendent of the bureau of criminal identification and 325
investigation shall conduct a criminal records check with respect 326
to any person who has applied for a license, permit, or 327
certification from the department of commerce or a division in the 328

department. The superintendent shall conduct the criminal records 329
check in the manner described in division (B) of this section to 330
determine whether any information exists that indicates that the 331
person who is the subject of the request previously has been 332
convicted of or pleaded guilty to any of the following: a 333
violation of section 2913.02, 2913.11, 2913.31, 2913.51, or 334
2925.03 of the Revised Code; any other criminal offense involving 335
theft, receiving stolen property, embezzlement, forgery, fraud, 336
passing bad checks, money laundering, or drug trafficking, or any 337
criminal offense involving money or securities, as set forth in 338
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 339
the Revised Code; or any existing or former law of this state, any 340
other state, or the United States that is substantially equivalent 341
to those offenses. 342

(13) On receipt of a request for a criminal records check 343
from the treasurer of state under section 113.041 of the Revised 344
Code or from an individual under section 4701.08, 4715.101, 345
4717.061, 4725.121, 4725.501, 4729.071, 4730.101, 4730.14, 346
4730.28, 4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 347
4731.296, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 348
4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 349
4762.031, 4762.06, or 4779.091 of the Revised Code, accompanied by 350
a completed form prescribed under division (C)(1) of this section 351
and a set of fingerprint impressions obtained in the manner 352
described in division (C)(2) of this section, the superintendent 353
of the bureau of criminal identification and investigation shall 354
conduct a criminal records check in the manner described in 355
division (B) of this section to determine whether any information 356
exists that indicates that the person who is the subject of the 357
request has been convicted of or pleaded guilty to any criminal 358
offense in this state or any other state. The superintendent shall 359
send the results of a check requested under section 113.041 of the 360
Revised Code to the treasurer of state and shall send the results 361

of a check requested under any of the other listed sections to the 362
licensing board specified by the individual in the request. 363

(14) On receipt of a request pursuant to section 1121.23, 364
1155.03, 1163.05, 1315.141, 1733.47, or 1761.26 of the Revised 365
Code, a completed form prescribed pursuant to division (C)(1) of 366
this section, and a set of fingerprint impressions obtained in the 367
manner described in division (C)(2) of this section, the 368
superintendent of the bureau of criminal identification and 369
investigation shall conduct a criminal records check in the manner 370
described in division (B) of this section to determine whether any 371
information exists that indicates that the person who is the 372
subject of the request previously has been convicted of or pleaded 373
guilty to any criminal offense under any existing or former law of 374
this state, any other state, or the United States. 375

(15) On receipt of a request for a criminal records check 376
from an appointing or licensing authority under section 3772.07 of 377
the Revised Code, a completed form prescribed under division 378
(C)(1) of this section, and a set of fingerprint impressions 379
obtained in the manner prescribed in division (C)(2) of this 380
section, the superintendent of the bureau of criminal 381
identification and investigation shall conduct a criminal records 382
check in the manner described in division (B) of this section to 383
determine whether any information exists that indicates that the 384
person who is the subject of the request previously has been 385
convicted of or pleaded guilty or no contest to any offense under 386
any existing or former law of this state, any other state, or the 387
United States that is a disqualifying offense as defined in 388
section 3772.07 of the Revised Code or substantially equivalent to 389
such an offense. 390

(16) On receipt of a request for a criminal records check 391
from an agency under section 5903.101 of the Revised Code, a 392
completed form prescribed under division (C)(1) of this section, 393

and a set of fingerprint impressions obtained in the manner 394
prescribed under division (C)(2) of this section, the 395
superintendent of the bureau of criminal identification and 396
investigation shall conduct a criminal records check in the manner 397
described in division (B) of this section to determine whether any 398
information exists that indicates that the individual who is the 399
subject of the request previously has been convicted of or pleaded 400
guilty or no contest to any offense under any existing or former 401
law of this state, any other state, or the United States. The 402
superintendent shall report the findings of the criminal records 403
check and any information the federal bureau of investigation 404
provides to the agency. 405

(17) Not later than thirty days after the date the 406
superintendent receives a request of a type described in division 407
(A)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), 408
(14), ~~or (15)~~, or (16) of this section, the completed form, and 409
the fingerprint impressions, the superintendent shall send the 410
person, board, or entity that made the request any information, 411
other than information the dissemination of which is prohibited by 412
federal law, the superintendent determines exists with respect to 413
the person who is the subject of the request that indicates that 414
the person previously has been convicted of or pleaded guilty to 415
any offense listed or described in division (A)(1), (2), (3), (4), 416
(5), (6), (7), (8), (9), (10), (11), (12), (14), ~~or (15)~~, or (16) 417
of this section, as appropriate. The superintendent shall send the 418
person, board, or entity that made the request a copy of the list 419
of offenses specified in division (A)(1), (2), (3), (4), (5), (6), 420
(7), (8), (9), (10), (11), (12), (14), ~~or (15)~~, or (16) of this 421
section, as appropriate. If the request was made under section 422
3701.881 of the Revised Code with regard to an applicant who may 423
be both responsible for the care, custody, or control of a child 424
and involved in providing direct care to an older adult, the 425
superintendent shall provide a list of the offenses specified in 426

divisions (A)(4) and (6) of this section. 427

Not later than thirty days after the superintendent receives 428
a request for a criminal records check pursuant to section 113.041 429
of the Revised Code, the completed form, and the fingerprint 430
impressions, the superintendent shall send the treasurer of state 431
any information, other than information the dissemination of which 432
is prohibited by federal law, the superintendent determines exist 433
with respect to the person who is the subject of the request that 434
indicates that the person previously has been convicted of or 435
pleaded guilty to any criminal offense in this state or any other 436
state. 437

(B) The superintendent shall conduct any criminal records 438
check requested under section 113.041, 121.08, 173.27, 173.394, 439
1121.23, 1155.03, 1163.05, 1315.141, 1321.53, 1321.531, 1322.03, 440
1322.031, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 441
3701.881, 3712.09, 3721.121, 3722.151, 3772.07, 4701.08, 4715.101, 442
4717.061, 4725.121, 4725.501, 4729.071, 4730.101, 4730.14, 443
4730.28, 4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 444
4731.296, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 445
4749.03, 4749.06, 4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 446
4761.051, 4762.031, 4762.06, 4763.05, 4779.091, 5104.012, 447
5104.013, 5111.032, 5111.033, 5111.034, 5123.081, 5126.28, 448
5126.281, ~~or~~ 5153.111, or 5903.101 of the Revised Code as follows: 449

(1) The superintendent shall review or cause to be reviewed 450
any relevant information gathered and compiled by the bureau under 451
division (A) of section 109.57 of the Revised Code that relates to 452
the person who is the subject of the request, including, if the 453
criminal records check was requested under section 113.041, 454
121.08, 173.27, 173.394, 1121.23, 1155.03, 1163.05, 1315.141, 455
1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 456
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 457
3722.151, 3772.07, 4749.03, 4749.06, 4763.05, 5104.012, 5104.013, 458

5111.032, 5111.033, 5111.034, 5123.081, 5126.28, 5126.281, ~~or~~ 459
5153.111, or 5903.101 of the Revised Code, any relevant 460
information contained in records that have been sealed under 461
section 2953.32 of the Revised Code; 462

(2) If the request received by the superintendent asks for 463
information from the federal bureau of investigation, the 464
superintendent shall request from the federal bureau of 465
investigation any information it has with respect to the person 466
who is the subject of the request, including fingerprint-based 467
checks of national crime information databases as described in 42 468
U.S.C. 671 if the request is made pursuant to section 2151.86, 469
5104.012, or 5104.013 of the Revised Code or if any other Revised 470
Code section requires fingerprint-based checks of that nature, and 471
shall review or cause to be reviewed any information the 472
superintendent receives from that bureau. If a request under 473
section 3319.39 of the Revised Code asks only for information from 474
the federal bureau of investigation, the superintendent shall not 475
conduct the review prescribed by division (B)(1) of this section. 476

(3) The superintendent or the superintendent's designee may 477
request criminal history records from other states or the federal 478
government pursuant to the national crime prevention and privacy 479
compact set forth in section 109.571 of the Revised Code. 480

(C)(1) The superintendent shall prescribe a form to obtain 481
the information necessary to conduct a criminal records check from 482
any person for whom a criminal records check is requested under 483
section 113.041 of the Revised Code or required by section 121.08, 484
173.27, 173.394, 1121.23, 1155.03, 1163.05, 1315.141, 1321.53, 485
1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3301.32, 486
3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 3772.07, 487
4701.08, 4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 488
4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 4731.171, 4731.222, 489
4731.281, 4731.296, 4731.531, 4732.091, 4734.202, 4740.061, 490

4741.10, 4749.03, 4749.06, 4755.70, 4757.101, 4759.061, 4760.032, 491
4760.06, 4761.051, 4762.031, 4762.06, 4763.05, 4779.091, 5104.012, 492
5104.013, 5111.032, 5111.033, 5111.034, 5123.081, 5126.28, 493
5126.281, ~~or~~ 5153.111, or 5903.101 of the Revised Code. The form 494
that the superintendent prescribes pursuant to this division may 495
be in a tangible format, in an electronic format, or in both 496
tangible and electronic formats. 497

(2) The superintendent shall prescribe standard impression 498
sheets to obtain the fingerprint impressions of any person for 499
whom a criminal records check is requested under section 113.041 500
of the Revised Code or required by section 121.08, 173.27, 501
173.394, 1121.23, 1155.03, 1163.05, 1315.141, 1321.53, 1321.531, 502
1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 503
3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 3772.07, 4701.08, 504
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4730.101, 505
4730.14, 4730.28, 4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 506
4731.296, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 507
4749.03, 4749.06, 4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 508
4761.051, 4762.031, 4762.06, 4763.05, 4779.091, 5104.012, 509
5104.013, 5111.032, 5111.033, 5111.034, 5123.081, 5126.28, 510
5126.281, ~~or~~ 5153.111, or 5903.101 of the Revised Code. Any person 511
for whom a records check is requested under or required by any of 512
those sections shall obtain the fingerprint impressions at a 513
county sheriff's office, municipal police department, or any other 514
entity with the ability to make fingerprint impressions on the 515
standard impression sheets prescribed by the superintendent. The 516
office, department, or entity may charge the person a reasonable 517
fee for making the impressions. The standard impression sheets the 518
superintendent prescribes pursuant to this division may be in a 519
tangible format, in an electronic format, or in both tangible and 520
electronic formats. 521

(3) Subject to division (D) of this section, the 522

superintendent shall prescribe and charge a reasonable fee for 523
providing a criminal records check requested under section 524
113.041, 121.08, 173.27, 173.394, 1121.23, 1155.03, 1163.05, 525
1315.141, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 526
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 527
3722.151, 3772.07, 4701.08, 4715.101, 4717.061, 4725.121, 528
4725.501, 4729.071, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 529
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 530
4734.202, 4740.061, 4741.10, 4749.03, 4749.06, 4755.70, 4757.101, 531
4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 4762.06, 4763.05, 532
4779.091, 5104.012, 5104.013, 5111.032, 5111.033, 5111.034, 533
5123.081, 5126.28, 5126.281, ~~or~~ 5153.111 or 5903.101 of the 534
Revised Code. The person making a criminal records request under 535
any of those sections shall pay the fee prescribed pursuant to 536
this division. A person making a request under section 3701.881 of 537
the Revised Code for a criminal records check for an applicant who 538
may be both responsible for the care, custody, or control of a 539
child and involved in providing direct care to an older adult 540
shall pay one fee for the request. In the case of a request under 541
section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, or 542
5111.032 of the Revised Code, the fee shall be paid in the manner 543
specified in that section. 544

(4) The superintendent of the bureau of criminal 545
identification and investigation may prescribe methods of 546
forwarding fingerprint impressions and information necessary to 547
conduct a criminal records check, which methods shall include, but 548
not be limited to, an electronic method. 549

(D) A determination whether any information exists that 550
indicates that a person previously has been convicted of or 551
pleaded guilty to any offense listed or described in division 552
(A)(1)(a) or (b), (A)(2)(a) or (b), (A)(3)(a) or (b), (A)(4)(a) or 553
(b), (A)(5)(a) or (b), (A)(6)(a) or (b), (A)(7), (A)(8)(a) or (b), 554

(A)(9)(a) or (b), (A)(10)(a) or (b), (A)(12), (A)(14), ~~or (A)(15)~~
or (A)(16) of this section, or that indicates that a person
previously has been convicted of or pleaded guilty to any criminal
offense in this state or any other state regarding a criminal
records check of a type described in division (A)(13) of this
section, and that is made by the superintendent with respect to
information considered in a criminal records check in accordance
with this section is valid for the person who is the subject of
the criminal records check for a period of one year from the date
upon which the superintendent makes the determination. During the
period in which the determination in regard to a person is valid,
if another request under this section is made for a criminal
records check for that person, the superintendent shall provide
the information that is the basis for the superintendent's initial
determination at a lower fee than the fee prescribed for the
initial criminal records check.

(E) As used in this section:

(1) "Criminal records check" means any criminal records check
conducted by the superintendent of the bureau of criminal
identification and investigation in accordance with division (B)
of this section.

(2) "Minor drug possession offense" has the same meaning as
in section 2925.01 of the Revised Code.

(3) "Older adult" means a person age sixty or older.

(4) "OVI or OVUAC violation" means a violation of section
4511.19 of the Revised Code or a violation of an existing or
former law of this state, any other state, or the United States
that is substantially equivalent to section 4511.19 of the Revised
Code.

Sec. 124.23. (A) All applicants for positions and places in

the classified service shall be subject to examination, except for 585
applicants for positions as professional or certified service and 586
paraprofessional employees of county boards of developmental 587
disabilities, who shall be hired in the manner provided in section 588
124.241 of the Revised Code. 589

(B) Any examination administered under this section shall be 590
public and be open to all citizens of the United States and those 591
persons who have legally declared their intentions of becoming 592
United States citizens. For examinations administered for 593
positions in the service of the state, the director of 594
administrative services may determine certain limitations as to 595
citizenship, age, experience, education, health, habit, and moral 596
character. 597

(C) Any person who has completed service in the uniformed 598
services, and who has been honorably discharged from the uniformed 599
services or transferred to the reserve with evidence of 600
satisfactory service, ~~and who is a resident of this state~~ and any 601
member of the national guard or a reserve component of the armed 602
forces of the United States who has completed more than one 603
hundred eighty days of active duty service pursuant to an 604
executive order of the president of the United States or an act of 605
the congress of the United States may file with the director a 606
certificate of service or honorable discharge, and, upon this 607
filing, the person shall receive additional credit of twenty per 608
cent of the person's total grade given in the regular examination 609
in which the person receives a passing grade. 610

As used in this division, "service in the uniformed services" 611
and "uniformed services" have the same meanings as in the 612
"Uniformed Services Employment and Reemployment Rights Act of 613
1994," 108 Stat. 3149, 38 U.S.C.A. 4303. 614

(D) An examination may include an evaluation of such factors 615
as education, training, capacity, knowledge, manual dexterity, and 616

physical or psychological fitness. An examination shall consist of 617
one or more tests in any combination. Tests may be written, oral, 618
physical, demonstration of skill, or an evaluation of training and 619
experiences and shall be designed to fairly test the relative 620
capacity of the persons examined to discharge the particular 621
duties of the position for which appointment is sought. Tests may 622
include structured interviews, assessment centers, work 623
simulations, examinations of knowledge, skills, and abilities, and 624
any other acceptable testing methods. If minimum or maximum 625
requirements are established for any examination, they shall be 626
specified in the examination announcement. 627

(E) The director of administrative services shall have 628
control of all examinations administered for positions in the 629
service of the state and all other examinations the director 630
administers as provided in section 124.07 of the Revised Code, 631
except as otherwise provided in sections 124.01 to 124.64 of the 632
Revised Code. 633

(F) No questions in any examination shall relate to political 634
or religious opinions or affiliations. No credit for seniority, 635
efficiency, or any other reason shall be added to an applicant's 636
examination grade unless the applicant achieves at least the 637
minimum passing grade on the examination without counting that 638
extra credit. 639

(G) Except as otherwise provided in sections 124.01 to 124.64 640
of the Revised Code, the director of administrative services shall 641
give reasonable notice of the time, place, and general scope of 642
every competitive examination for appointment that the director 643
administers for positions in the service of the state. The 644
director shall send written, printed, or electronic notices of 645
every examination to be conducted for positions in the classified 646
civil service of the state to each agency of the type the director 647
of job and family services specifies and, in the case of a county 648

in which no such agency is located, to the clerk of the court of 649
common pleas of that county and to the clerk of each city located 650
within that county. Those notices shall be posted in conspicuous 651
public places in the designated agencies or the courthouse, and 652
city hall of the cities, of the counties in which no designated 653
agency is located for at least two weeks preceding any examination 654
involved, and in a conspicuous place in the office of the director 655
of administrative services for at least two weeks preceding any 656
examination involved. In case of examinations limited by the 657
director to a district, county, city, or department, the director 658
shall provide by rule for adequate publicity of an examination in 659
the district, county, city, or department within which competition 660
is permitted. 661

Sec. 5903.10. ~~Any (A) A~~ holder of an expired license or 662
certificate from this state or any political subdivision or agency 663
of the state to practice a trade or profession, ~~whose license or~~ 664
~~certificate was not renewed because of the holder's service in the~~ 665
~~armed forces of the United States, or in the national guard or in~~ 666
~~a reserve component, shall, upon presentation of satisfactory~~ 667
~~evidence of honorable discharge or separation under honorable~~ 668
~~conditions therefrom within six months of such discharge or~~ 669
~~separation,~~ be granted a renewal of ~~said~~ the license or 670
certificate by the issuing ~~board or authority~~ agency at the usual 671
cost without penalty and without re-examination, if not otherwise 672
disqualified because of mental or physical disability, and if 673
either: 674

(1) The license or certificate was not renewed because of the 675
holder's service in the armed forces of the United States, or in 676
the national guard or in a reserve component; or 677

(2) The license or certificate was not renewed because the 678
holder's spouse served in the armed forces of the United States, 679

or in the national guard or in a reserve component, and this 680
service resulted in the holder's absence from this state. 681

(B) A renewal shall not be granted under division (A) of this 682
section unless the holder or the holder's spouse, as the case may 683
be, has either presented satisfactory evidence of the service 684
member's honorable discharge, or general discharge under honorable 685
conditions, within six months after the discharge or reassignment. 686

Sec. 5903.101. An agency of this state or of any political 687
subdivision of this state that issues a license or certificate to 688
practice a trade or profession may issue a temporary license or 689
certificate to practice to an individual whose spouse is on active 690
duty in this state if all of the following conditions are met: 691

(A) The individual holds a valid license or certificate for 692
the trade or profession issued by another state or by any foreign 693
jurisdiction; 694

(B) The individual's spouse is assigned to a duty station in 695
this state; and 696

(C) The individual is accompanying the individual's spouse to 697
the duty station in this state. 698

The agency shall obtain a criminal records check of an 699
individual who applies for a temporary license or certificate. The 700
agency shall provide to the individual a copy of the form and the 701
standard fingerprint impression sheet prescribed under divisions 702
(C)(1) and (2) of section 109.572 of the Revised Code. The 703
individual shall complete the form and impression sheet and return 704
it to the agency. If the individual fails to complete and return 705
the form and impression sheet within a reasonable time, the 706
individual is ineligible to receive a temporary license or 707
certificate. 708

The agency shall forward the completed form and impression 709

sheet to the superintendent of the bureau of criminal 710
identification and investigation. The agency shall request the 711
superintendent also to obtain information from the federal bureau 712
of investigation, including fingerprint-based checks of the 713
national crime information databases, and from other states and 714
the federal government under the national crime prevention and 715
privacy compact as part of the criminal records check. 716

The agency shall pay the fee the bureau of criminal 717
identification and investigation charges for a criminal records 718
check. The individual shall reimburse the agency for the amount of 719
the fee paid on the individual's behalf. If the individual fails 720
to reimburse the agency for the amount of the fee, the individual 721
is ineligible to receive a temporary license or certificate. 722

The agency shall review the results of a criminal records 723
check. 724

The report of a criminal records check is not a public record 725
that is open to public inspection and copying. The agency shall 726
not make the report available to any person except the individual 727
who was the subject of the criminal records check or any court or 728
agency, including a hearing examiner, in a judicial or 729
administrative proceeding relating to the individual's licensure 730
or certification. 731

A temporary license or certificate expires six months after 732
the date it was issued and is not renewable. 733

Application for or receipt of a temporary license or 734
certificate under this section does not preclude an individual 735
from acquiring a regular license or certificate by means of the 736
standard process for doing so. 737

Sec. 5903.102. (A) Except as provided in division (B) of this 738
section, an agency of this state or of any political subdivision 739

of this state, or a private state contractor, authorized by the 740
Revised Code to grant a licensure or certification shall, upon 741
presentation of satisfactory evidence, consider relevant 742
education, training, or service completed by an individual as a 743
member of the armed forces of the United States or reserve 744
components thereof, the national guard of any state, the military 745
reserve of any state, or the naval militia of any state toward the 746
qualifications required to receive the licensure or certification. 747

(B)(1) If an individual is required to successfully complete 748
specific training or education authorized by a state or nationally 749
accredited entity as a prerequisite for obtaining a state license 750
or certification and the state or nationally accredited entity 751
accepts relevant military education, service, or training to 752
fulfill part or all of those requirements, the agency or private 753
state contractor has met the duty specified in division (A) of 754
this section upon receiving proof by the individual of completion 755
of the specific training or education authorized by a state or 756
nationally accredited entity. 757

(2) An education program approved by an agency or private 758
state contractor may grant advanced standing to an individual who 759
served as a member of the armed forces of the United States or 760
reserve components thereof, the national guard of any state, the 761
military reserve of any state, or the naval militia of any state 762
for the individual's prior relevant military experience and 763
coursework, in accordance with specific written policies and 764
procedures of the education program and in accordance with rules 765
promulgated by the appropriate governmental unit or contractor 766
that permit granting advanced standing in those education 767
programs. If applicable, such advanced standing shall be applied 768
to the individual's status toward completion of an education 769
program if the individual satisfies all of the program 770
requirements adopted under the appropriate governmental unit's or 771

contractor's rules. 772

(C) If, within six months before or after discharge, an 773
individual otherwise qualified to receive a licensure or 774
certification presents satisfactory evidence of honorable 775
discharge or general discharge under honorable conditions, the 776
agency or private state contractor, issuing the licensure or 777
certification shall waive any licensure or certification fee. 778

Section 2. That existing sections 109.572, 124.23, and 779
5903.10 of the Revised Code are hereby repealed. 780

Section 3. Section 124.23 of the Revised Code is presented in 781
this act as a composite of the section as amended by both Am. Sub. 782
H.B. 1 and Sub. S.B. 79 of the 128th General Assembly. The General 783
Assembly, applying the principle stated in division (B) of section 784
1.52 of the Revised Code that amendments are to be harmonized if 785
reasonably capable of simultaneous operation, finds that the 786
composite is the resulting version of the section in effect prior 787
to the effective date of the section as presented in this act. 788

789