

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 378**

**Representative Young**

**Cosponsors: Representatives Adams, J., Beck, Blessing**

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**A B I L L**

To enact section 109.5722 of the Revised Code to 1  
generally require the cancellation of an 2  
undocumented alien's driver's license and voter 3  
registration and the termination of any benefits 4  
the undocumented alien receives from programs 5  
administered or supervised by the Department of 6  
Job and Family Services, if the undocumented alien 7  
is arrested, identified as an undocumented alien 8  
by a federal fingerprint database, and has been 9  
issued a driver's license or provided a false or 10  
altered driver's license or another person's 11  
driver's license for identification at the time of 12  
arrest or processing. 13

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

**Section 1.** That section 109.5722 of the Revised Code be 14  
enacted to read as follows: 15

**Sec. 109.5722.** (A) As used in this section: 16

(1) "Alien" means an individual who is not a citizen of the 17  
United States. 18

(2) "Driver's license" has the same meaning as in section 19

2108.01 of the Revised Code. 20

(3) "Law enforcement agency" means any organization or unit 21  
comprised of law enforcement officers. 22

(4) "Law enforcement officer" has the same meaning as in 23  
section 2901.01 of the Revised Code. 24

(B)(1) If the bureau of criminal identification and 25  
investigation or a county sheriff directly or indirectly submits 26  
the fingerprints of a person who has been arrested by a law 27  
enforcement agency and fingerprinted by the sheriff's department 28  
during the person's processing at a county jail to the federal 29  
bureau of investigation's integrated automated fingerprint 30  
identification system or the department of homeland security's 31  
automated biometric identification system and receives a response 32  
from either system stating that the fingerprints submitted match 33  
the fingerprints of an undocumented alien, the bureau of criminal 34  
identification and investigation or sheriff's department shall 35  
determine if the registrar of motor vehicles or a deputy registrar 36  
issued the arrestee a driver's license and if the arrestee 37  
provided or displayed a false or altered driver's license or 38  
another person's driver's license as identification at the time of 39  
arrest or processing. 40

(2) If the bureau of criminal identification and 41  
investigation or sheriff's department determines that the 42  
registrar of motor vehicles or a deputy registrar issued the 43  
arrestee described in division (B)(1) of this section a driver's 44  
license or the arrestee provided or displayed a false or altered 45  
driver's license or another person's driver's license as 46  
identification at the time of arrest or processing, the bureau of 47  
criminal identification and investigation or sheriff's department 48  
shall notify the attorney general and provide the attorney general 49  
with a copy of the response from the federal identification system 50  
the bureau of criminal identification and investigation or 51

sheriff's department received pursuant to division (B)(1) of this 52  
section. 53

(C) The attorney general in a format to be determined by the 54  
attorney general shall notify the bureau of motor vehicles, the 55  
secretary of state, the department of job and family services, and 56  
the arrestee who is the subject of the notice of having received 57  
the notice under division (B)(2) of this section. 58

(D)(1) The secretary of state shall determine if the arrestee 59  
who is the subject of a notice received under division (C) of this 60  
section is registered to vote in this state. If the arrestee is 61  
registered to vote in this state, the secretary of state shall 62  
cancel the arrestee's voter registration and notify the arrestee 63  
of the cancellation. 64

(2) The department of job and family services shall determine 65  
if the arrestee who is the subject of a notice received under 66  
division (C) of this section receives any benefits from programs 67  
administrated or supervised by the department of job and family 68  
services. If the arrestee receives benefits from any of these 69  
programs, the department shall terminate the arrestee's receipt of 70  
all benefits from the program and notify the arrestee of the 71  
termination unless the termination of a benefit is prohibited by a 72  
federal statute or regulation. 73

(3) The bureau of motor vehicles shall cancel any driver's 74  
license issued to the arrestee who is the subject of a notice 75  
received under division (C) of this section and notify the 76  
arrestee of the cancellation. 77

(E) An arrestee who loses rights, privileges, or benefits 78  
under division (D) of this section may obtain those rights, 79  
privileges, and benefits at a later date if the arrestee meets all 80  
licensing, registration, benefit, and residency requirements for 81  
the rights, privileges, or benefits at that later date. 82

(F) The attorney general shall adopt rules pursuant to 83  
Chapter 119. of the Revised Code to provide for the timely 84  
transfer of information between agencies under divisions (B), (C), 85  
and (D) of this section. 86

(G) The secretary of state, department of job and family 87  
services, and bureau of motor vehicles shall compile monthly data 88  
on the number of arrestees who lose rights, privileges, and 89  
benefits under division (D) of this section. The secretary of 90  
state, department of job and family services, and bureau of motor 91  
vehicles shall compile the data for each month by the end of the 92  
following month. The secretary of state, department of job and 93  
family services, and bureau of motor vehicles shall send the 94  
compiled data to the attorney general at the attorney general's 95  
request. The secretary of state, department of job and family 96  
services, and bureau of motor vehicles shall send the data to the 97  
attorney general within sixty days after receiving the attorney 98  
general's request. The attorney general shall post the compiled 99  
data for each calendar quarter in a readily accessible format on 100  
the attorney general's web site prior to the end of the next 101  
calendar quarter. 102