

**As Reported by the House Military and Veterans Affairs
Committee**

**130th General Assembly
Regular Session
2013-2014**

Sub. H. B. No. 488

Representatives Dovilla, Landis

**Cosponsors: Representatives Johnson, Pillich, Barborak, Bishoff, Milkovich,
Perales, Retherford, Rosenberger**

—

A B I L L

To amend sections 2913.01, 2913.02, 2913.43, 2913.49,	1
2913.61, 4729.12, 4729.13, 4729.15, 4731.36,	2
4743.04, 5902.02, 5903.03, 5903.10, 5903.11,	3
5903.12, 5903.121, 5907.01, and 5907.04 and to	4
enact sections 2305.112, 2307.611, 3333.164,	5
3345.42, 3345.43, 3345.44, 3345.46, 5903.01,	6
5903.04, 5903.05, and 5903.15 of the Revised Code	7
to require state institutions of higher education	8
to award credit for military training, to increase	9
penalties for certain theft, deception, and	10
identity fraud offenses when the victim is an	11
active duty service member, to allow for a civil	12
action for victims of identity fraud, and to make	13
other changes regarding state support and benefits	14
for veterans and their spouses.	15

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

Section 1. That sections 2913.01, 2913.02, 2913.43, 2913.49,	16
2913.61, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 5902.02,	17
5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 5907.04	18

be amended and sections 2305.112, 2307.611, 3333.164, 3345.42, 19
3345.43, 3345.44, 3345.46, 5903.01, 5903.04, 5903.05, and 5903.15 20
of the Revised Code be enacted to read as follows: 21

Sec. 2305.112. A civil action brought pursuant to division 22
(A) of section 2307.60 of the Revised Code when the person filing 23
the action is injured in person or property by a violation of 24
division (B), (D), or (E) of section 2913.49 of the Revised Code 25
shall be commenced within five years from the date on which the 26
identity of the offender was discovered or reasonably should have 27
been discovered. 28

Sec. 2307.611. A person who brings a civil action pursuant to 29
division (A) of section 2307.60 of the Revised Code to recover 30
damages from any person who caused injury to person or property by 31
a violation of division (B), (D), or (E) of section 2913.49 of the 32
Revised Code may recover damages up to five thousand dollars for 33
each violation or three times the amount of actual damages, 34
whichever is greater, and reasonable attorney's fees. 35

Sec. 2913.01. As used in this chapter, unless the context 36
requires that a term be given a different meaning: 37

(A) "Deception" means knowingly deceiving another or causing 38
another to be deceived by any false or misleading representation, 39
by withholding information, by preventing another from acquiring 40
information, or by any other conduct, act, or omission that 41
creates, confirms, or perpetuates a false impression in another, 42
including a false impression as to law, value, state of mind, or 43
other objective or subjective fact. 44

(B) "Defraud" means to knowingly obtain, by deception, some 45
benefit for oneself or another, or to knowingly cause, by 46
deception, some detriment to another. 47

(C) "Deprive" means to do any of the following:	48
(1) Withhold property of another permanently, or for a period that appropriates a substantial portion of its value or use, or with purpose to restore it only upon payment of a reward or other consideration;	49 50 51 52
(2) Dispose of property so as to make it unlikely that the owner will recover it;	53 54
(3) Accept, use, or appropriate money, property, or services, with purpose not to give proper consideration in return for the money, property, or services, and without reasonable justification or excuse for not giving proper consideration.	55 56 57 58
(D) "Owner" means, unless the context requires a different meaning, any person, other than the actor, who is the owner of, who has possession or control of, or who has any license or interest in property or services, even though the ownership, possession, control, license, or interest is unlawful.	59 60 61 62 63
(E) "Services" include labor, personal services, professional services, rental services, public utility services including wireless service as defined in division (F)(1) of section 128.01 of the Revised Code, common carrier services, and food, drink, transportation, entertainment, and cable television services and, for purposes of section 2913.04 of the Revised Code, include cable services as defined in that section.	64 65 66 67 68 69 70
(F) "Writing" means any computer software, document, letter, memorandum, note, paper, plate, data, film, or other thing having in or upon it any written, typewritten, or printed matter, and any token, stamp, seal, credit card, badge, trademark, label, or other symbol of value, right, privilege, license, or identification.	71 72 73 74 75
(G) "Forge" means to fabricate or create, in whole or in part and by any means, any spurious writing, or to make, execute, alter, complete, reproduce, or otherwise purport to authenticate	76 77 78

any writing, when the writing in fact is not authenticated by that 79
conduct. 80

(H) "Utter" means to issue, publish, transfer, use, put or 81
send into circulation, deliver, or display. 82

(I) "Coin machine" means any mechanical or electronic device 83
designed to do both of the following: 84

(1) Receive a coin, bill, or token made for that purpose; 85

(2) In return for the insertion or deposit of a coin, bill, 86
or token, automatically dispense property, provide a service, or 87
grant a license. 88

(J) "Slug" means an object that, by virtue of its size, 89
shape, composition, or other quality, is capable of being inserted 90
or deposited in a coin machine as an improper substitute for a 91
genuine coin, bill, or token made for that purpose. 92

(K) "Theft offense" means any of the following: 93

(1) A violation of section 2911.01, 2911.02, 2911.11, 94
2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 95
2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 96
2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 97
2913.47, 2913.48, former section 2913.47 or 2913.48, or section 98
2913.51, 2915.05, or 2921.41 of the Revised Code; 99

(2) A violation of an existing or former municipal ordinance 100
or law of this or any other state, or of the United States, 101
substantially equivalent to any section listed in division (K)(1) 102
of this section or a violation of section 2913.41, 2913.81, or 103
2915.06 of the Revised Code as it existed prior to July 1, 1996; 104

(3) An offense under an existing or former municipal 105
ordinance or law of this or any other state, or of the United 106
States, involving robbery, burglary, breaking and entering, theft, 107
embezzlement, wrongful conversion, forgery, counterfeiting, 108

deceit, or fraud;	109
(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (K)(1), (2), or (3) of this section.	110 111 112
(L) "Computer services" includes, but is not limited to, the use of a computer system, computer network, computer program, data that is prepared for computer use, or data that is contained within a computer system or computer network.	113 114 115 116
(M) "Computer" means an electronic device that performs logical, arithmetic, and memory functions by the manipulation of electronic or magnetic impulses. "Computer" includes, but is not limited to, all input, output, processing, storage, computer program, or communication facilities that are connected, or related, in a computer system or network to an electronic device of that nature.	117 118 119 120 121 122 123
(N) "Computer system" means a computer and related devices, whether connected or unconnected, including, but not limited to, data input, output, and storage devices, data communications links, and computer programs and data that make the system capable of performing specified special purpose data processing tasks.	124 125 126 127 128
(O) "Computer network" means a set of related and remotely connected computers and communication facilities that includes more than one computer system that has the capability to transmit among the connected computers and communication facilities through the use of computer facilities.	129 130 131 132 133
(P) "Computer program" means an ordered set of data representing coded instructions or statements that, when executed by a computer, cause the computer to process data.	134 135 136
(Q) "Computer software" means computer programs, procedures, and other documentation associated with the operation of a computer system.	137 138 139

(R) "Data" means a representation of information, knowledge, facts, concepts, or instructions that are being or have been prepared in a formalized manner and that are intended for use in a computer, computer system, or computer network. For purposes of section 2913.47 of the Revised Code, "data" has the additional meaning set forth in division (A) of that section.

(S) "Cable television service" means any services provided by or through the facilities of any cable television system or other similar closed circuit coaxial cable communications system, or any microwave or similar transmission service used in connection with any cable television system or other similar closed circuit coaxial cable communications system.

(T) "Gain access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system, or computer network, or any cable service or cable system both as defined in section 2913.04 of the Revised Code.

(U) "Credit card" includes, but is not limited to, a card, code, device, or other means of access to a customer's account for the purpose of obtaining money, property, labor, or services on credit, or for initiating an electronic fund transfer at a point-of-sale terminal, an automated teller machine, or a cash dispensing machine. It also includes a county procurement card issued under section 301.29 of the Revised Code.

(V) "Electronic fund transfer" has the same meaning as in 92 Stat. 3728, 15 U.S.C.A. 1693a, as amended.

(W) "Rented property" means personal property in which the right of possession and use of the property is for a short and possibly indeterminate term in return for consideration; the rentee generally controls the duration of possession of the property, within any applicable minimum or maximum term; and the

amount of consideration generally is determined by the duration of 171
possession of the property. 172

(X) "Telecommunication" means the origination, emission, 173
dissemination, transmission, or reception of data, images, 174
signals, sounds, or other intelligence or equivalence of 175
intelligence of any nature over any communications system by any 176
method, including, but not limited to, a fiber optic, electronic, 177
magnetic, optical, digital, or analog method. 178

(Y) "Telecommunications device" means any instrument, 179
equipment, machine, or other device that facilitates 180
telecommunication, including, but not limited to, a computer, 181
computer network, computer chip, computer circuit, scanner, 182
telephone, cellular telephone, pager, personal communications 183
device, transponder, receiver, radio, modem, or device that 184
enables the use of a modem. 185

(Z) "Telecommunications service" means the providing, 186
allowing, facilitating, or generating of any form of 187
telecommunication through the use of a telecommunications device 188
over a telecommunications system. 189

(AA) "Counterfeit telecommunications device" means a 190
telecommunications device that, alone or with another 191
telecommunications device, has been altered, constructed, 192
manufactured, or programmed to acquire, intercept, receive, or 193
otherwise facilitate the use of a telecommunications service or 194
information service without the authority or consent of the 195
provider of the telecommunications service or information service. 196
"Counterfeit telecommunications device" includes, but is not 197
limited to, a clone telephone, clone microchip, tumbler telephone, 198
or tumbler microchip; a wireless scanning device capable of 199
acquiring, intercepting, receiving, or otherwise facilitating the 200
use of telecommunications service or information service without 201
immediate detection; or a device, equipment, hardware, or software 202

designed for, or capable of, altering or changing the electronic 203
serial number in a wireless telephone. 204

(BB)(1) "Information service" means, subject to division 205
(BB)(2) of this section, the offering of a capability for 206
generating, acquiring, storing, transforming, processing, 207
retrieving, utilizing, or making available information via 208
telecommunications, including, but not limited to, electronic 209
publishing. 210

(2) "Information service" does not include any use of a 211
capability of a type described in division (BB)(1) of this section 212
for the management, control, or operation of a telecommunications 213
system or the management of a telecommunications service. 214

(CC) "Elderly person" means a person who is sixty-five years 215
of age or older. 216

(DD) "Disabled adult" means a person who is eighteen years of 217
age or older and has some impairment of body or mind that makes 218
the person unable to work at any substantially remunerative 219
employment that the person otherwise would be able to perform and 220
that will, with reasonable probability, continue for a period of 221
at least twelve months without any present indication of recovery 222
from the impairment, or who is eighteen years of age or older and 223
has been certified as permanently and totally disabled by an 224
agency of this state or the United States that has the function of 225
so classifying persons. 226

(EE) "Firearm" and "dangerous ordnance" have the same 227
meanings as in section 2923.11 of the Revised Code. 228

(FF) "Motor vehicle" has the same meaning as in section 229
4501.01 of the Revised Code. 230

(GG) "Dangerous drug" has the same meaning as in section 231
4729.01 of the Revised Code. 232

(HH) "Drug abuse offense" has the same meaning as in section	233
2925.01 of the Revised Code.	234
(II)(1) "Computer hacking" means any of the following:	235
(a) Gaining access or attempting to gain access to all or	236
part of a computer, computer system, or a computer network without	237
express or implied authorization with the intent to defraud or	238
with intent to commit a crime;	239
(b) Misusing computer or network services including, but not	240
limited to, mail transfer programs, file transfer programs, proxy	241
servers, and web servers by performing functions not authorized by	242
the owner of the computer, computer system, or computer network or	243
other person authorized to give consent. As used in this division,	244
"misuse of computer and network services" includes, but is not	245
limited to, the unauthorized use of any of the following:	246
(i) Mail transfer programs to send mail to persons other than	247
the authorized users of that computer or computer network;	248
(ii) File transfer program proxy services or proxy servers to	249
access other computers, computer systems, or computer networks;	250
(iii) Web servers to redirect users to other web pages or web	251
servers.	252
(c)(i) Subject to division (II)(1)(c)(ii) of this section,	253
using a group of computer programs commonly known as "port	254
scanners" or "probes" to intentionally access any computer,	255
computer system, or computer network without the permission of the	256
owner of the computer, computer system, or computer network or	257
other person authorized to give consent. The group of computer	258
programs referred to in this division includes, but is not limited	259
to, those computer programs that use a computer network to access	260
a computer, computer system, or another computer network to	261
determine any of the following: the presence or types of computers	262
or computer systems on a network; the computer network's	263

facilities and capabilities; the availability of computer or 264
network services; the presence or versions of computer software 265
including, but not limited to, operating systems, computer 266
services, or computer contaminants; the presence of a known 267
computer software deficiency that can be used to gain unauthorized 268
access to a computer, computer system, or computer network; or any 269
other information about a computer, computer system, or computer 270
network not necessary for the normal and lawful operation of the 271
computer initiating the access. 272

(ii) The group of computer programs referred to in division 273
(II)(1)(c)(i) of this section does not include standard computer 274
software used for the normal operation, administration, 275
management, and test of a computer, computer system, or computer 276
network including, but not limited to, domain name services, mail 277
transfer services, and other operating system services, computer 278
programs commonly called "ping," "tcpdump," and "traceroute" and 279
other network monitoring and management computer software, and 280
computer programs commonly known as "nslookup" and "whois" and 281
other systems administration computer software. 282

(d) The intentional use of a computer, computer system, or a 283
computer network in a manner that exceeds any right or permission 284
granted by the owner of the computer, computer system, or computer 285
network or other person authorized to give consent. 286

(2) "Computer hacking" does not include the introduction of a 287
computer contaminant, as defined in section 2909.01 of the Revised 288
Code, into a computer, computer system, computer program, or 289
computer network. 290

(JJ) "Police dog or horse" has the same meaning as in section 291
2921.321 of the Revised Code. 292

(KK) "Anhydrous ammonia" is a compound formed by the 293
combination of two gaseous elements, nitrogen and hydrogen, in the 294

manner described in this division. Anhydrous ammonia is one part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia by weight is fourteen parts nitrogen to three parts hydrogen, which is approximately eighty-two per cent nitrogen to eighteen per cent hydrogen.

(LL) "Assistance dog" has the same meaning as in section 955.011 of the Revised Code.

(MM) "Federally licensed firearms dealer" has the same meaning as in section 5502.63 of the Revised Code.

(NN) "Active duty service member" means any member of the armed forces of the United States performing active duty under title 10 of the United States Code.

Sec. 2913.02. (A) No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways:

(1) Without the consent of the owner or person authorized to give consent;

(2) Beyond the scope of the express or implied consent of the owner or person authorized to give consent;

(3) By deception;

(4) By threat;

(5) By intimidation.

(B)(1) Whoever violates this section is guilty of theft.

(2) Except as otherwise provided in this division or division (B)(3), (4), (5), (6), (7), (8), or (9) of this section, a violation of this section is petty theft, a misdemeanor of the first degree. If the value of the property or services stolen is one thousand dollars or more and is less than seven thousand five

hundred dollars or if the property stolen is any of the property 324
listed in section 2913.71 of the Revised Code, a violation of this 325
section is theft, a felony of the fifth degree. If the value of 326
the property or services stolen is seven thousand five hundred 327
dollars or more and is less than one hundred fifty thousand 328
dollars, a violation of this section is grand theft, a felony of 329
the fourth degree. If the value of the property or services stolen 330
is one hundred fifty thousand dollars or more and is less than 331
seven hundred fifty thousand dollars, a violation of this section 332
is aggravated theft, a felony of the third degree. If the value of 333
the property or services is seven hundred fifty thousand dollars 334
or more and is less than one million five hundred thousand 335
dollars, a violation of this section is aggravated theft, a felony 336
of the second degree. If the value of the property or services 337
stolen is one million five hundred thousand dollars or more, a 338
violation of this section is aggravated theft of one million five 339
hundred thousand dollars or more, a felony of the first degree. 340

(3) Except as otherwise provided in division (B)(4), (5), 341
(6), (7), (8), or (9) of this section, if the victim of the 342
offense is an elderly person ~~or~~ disabled adult, active duty 343
service member, or spouse of an active duty service member, a 344
violation of this section is theft from ~~an elderly a person or~~ 345
~~disabled adult in a protected class,~~ and division (B)(3) of this 346
section applies. Except as otherwise provided in this division, 347
theft from ~~an elderly a person or disabled adult in a protected~~ 348
class is a felony of the fifth degree. If the value of the 349
property or services stolen is one thousand dollars or more and is 350
less than seven thousand five hundred dollars, theft from ~~an~~ 351
~~elderly a person or disabled adult in a protected class~~ is a 352
felony of the fourth degree. If the value of the property or 353
services stolen is seven thousand five hundred dollars or more and 354
is less than thirty-seven thousand five hundred dollars, theft 355
from ~~an elderly a person or disabled adult in a protected class~~ is 356

a felony of the third degree. If the value of the property or 357
services stolen is thirty-seven thousand five hundred dollars or 358
more and is less than one hundred fifty thousand dollars, theft 359
from ~~an elderly a person or disabled adult~~ in a protected class is 360
a felony of the second degree. If the value of the property or 361
services stolen is one hundred fifty thousand dollars or more, 362
theft from ~~an elderly a person or disabled adult~~ in a protected 363
class is a felony of the first degree. 364

(4) If the property stolen is a firearm or dangerous 365
ordnance, a violation of this section is grand theft. Except as 366
otherwise provided in this division, grand theft when the property 367
stolen is a firearm or dangerous ordnance is a felony of the third 368
degree, and there is a presumption in favor of the court imposing 369
a prison term for the offense. If the firearm or dangerous 370
ordnance was stolen from a federally licensed firearms dealer, 371
grand theft when the property stolen is a firearm or dangerous 372
ordnance is a felony of the first degree. The offender shall serve 373
a prison term imposed for grand theft when the property stolen is 374
a firearm or dangerous ordnance consecutively to any other prison 375
term or mandatory prison term previously or subsequently imposed 376
upon the offender. 377

(5) If the property stolen is a motor vehicle, a violation of 378
this section is grand theft of a motor vehicle, a felony of the 379
fourth degree. 380

(6) If the property stolen is any dangerous drug, a violation 381
of this section is theft of drugs, a felony of the fourth degree, 382
or, if the offender previously has been convicted of a felony drug 383
abuse offense, a felony of the third degree. 384

(7) If the property stolen is a police dog or horse or an 385
assistance dog and the offender knows or should know that the 386
property stolen is a police dog or horse or an assistance dog, a 387
violation of this section is theft of a police dog or horse or an 388

assistance dog, a felony of the third degree. 389

(8) If the property stolen is anhydrous ammonia, a violation 390
of this section is theft of anhydrous ammonia, a felony of the 391
third degree. 392

(9) Except as provided in division (B)(2) of this section 393
with respect to property with a value of seven thousand five 394
hundred dollars or more and division (B)(3) of this section with 395
respect to property with a value of one thousand dollars or more, 396
if the property stolen is a special purpose article as defined in 397
section 4737.04 of the Revised Code or is a bulk merchandise 398
container as defined in section 4737.012 of the Revised Code, a 399
violation of this section is theft of a special purpose article or 400
articles or theft of a bulk merchandise container or containers, a 401
felony of the fifth degree. 402

(10) In addition to the penalties described in division 403
(B)(2) of this section, if the offender committed the violation by 404
causing a motor vehicle to leave the premises of an establishment 405
at which gasoline is offered for retail sale without the offender 406
making full payment for gasoline that was dispensed into the fuel 407
tank of the motor vehicle or into another container, the court may 408
do one of the following: 409

(a) Unless division (B)(10)(b) of this section applies, 410
suspend for not more than six months the offender's driver's 411
license, probationary driver's license, commercial driver's 412
license, temporary instruction permit, or nonresident operating 413
privilege; 414

(b) If the offender's driver's license, probationary driver's 415
license, commercial driver's license, temporary instruction 416
permit, or nonresident operating privilege has previously been 417
suspended pursuant to division (B)(10)(a) of this section, impose 418
a class seven suspension of the offender's license, permit, or 419

privilege from the range specified in division (A)(7) of section 420
4510.02 of the Revised Code, provided that the suspension shall be 421
for at least six months. 422

(c) The court, in lieu of suspending the offender's driver's 423
or commercial driver's license, probationary driver's license, 424
temporary instruction permit, or nonresident operating privilege 425
pursuant to division (B)(10)(a) or (b) of this section, instead 426
may require the offender to perform community service for a number 427
of hours determined by the court. 428

(11) In addition to the penalties described in division 429
(B)(2) of this section, if the offender committed the violation by 430
stealing rented property or rental services, the court may order 431
that the offender make restitution pursuant to section 2929.18 or 432
2929.28 of the Revised Code. Restitution may include, but is not 433
limited to, the cost of repairing or replacing the stolen 434
property, or the cost of repairing the stolen property and any 435
loss of revenue resulting from deprivation of the property due to 436
theft of rental services that is less than or equal to the actual 437
value of the property at the time it was rented. Evidence of 438
intent to commit theft of rented property or rental services shall 439
be determined pursuant to the provisions of section 2913.72 of the 440
Revised Code. 441

(C) The sentencing court that suspends an offender's license, 442
permit, or nonresident operating privilege under division (B)(10) 443
of this section may grant the offender limited driving privileges 444
during the period of the suspension in accordance with Chapter 445
4510. of the Revised Code. 446

Sec. 2913.43. (A) No person, by deception, shall cause 447
another to execute any writing that disposes of or encumbers 448
property, or by which a pecuniary obligation is incurred. 449

(B)(1) Whoever violates this section is guilty of securing 450

writings by deception. 451

(2) Except as otherwise provided in this division or division 452
(B)(3) of this section, securing writings by deception is a 453
misdemeanor of the first degree. If the value of the property or 454
the obligation involved is one thousand dollars or more and less 455
than seven thousand five hundred dollars, securing writings by 456
deception is a felony of the fifth degree. If the value of the 457
property or the obligation involved is seven thousand five hundred 458
dollars or more and is less than one hundred fifty thousand 459
dollars, securing writings by deception is a felony of the fourth 460
degree. If the value of the property or the obligation involved is 461
one hundred fifty thousand dollars or more, securing writings by 462
deception is a felony of the third degree. 463

(3) If the victim of the offense is an elderly person ~~or~~ 464
disabled adult, active duty service member, or spouse of an active 465
duty service member, division (B)(3) of this section applies. 466
Except as otherwise provided in division (B)(3) of this section, 467
securing writings by deception is a felony of the fifth degree. If 468
the value of the property or obligation involved is one thousand 469
dollars or more and is less than seven thousand five hundred 470
dollars, securing writings by deception is a felony of the fourth 471
degree. If the value of the property or obligation involved is 472
seven thousand five hundred dollars or more and is less than 473
thirty-seven thousand five hundred dollars, securing writings by 474
deception is a felony of the third degree. If the value of the 475
property or obligation involved is thirty-seven thousand five 476
hundred dollars or more, securing writings by deception is a 477
felony of the second degree. 478

Sec. 2913.49. (A) As used in this section, "personal 479
identifying information" includes, but is not limited to, the 480
following: the name, address, telephone number, driver's license, 481

driver's license number, commercial driver's license, commercial 482
driver's license number, state identification card, state 483
identification card number, social security card, social security 484
number, birth certificate, place of employment, employee 485
identification number, mother's maiden name, demand deposit 486
account number, savings account number, money market account 487
number, mutual fund account number, other financial account 488
number, personal identification number, password, or credit card 489
number of a living or dead individual. 490

(B) No person, without the express or implied consent of the 491
other person, shall use, obtain, or possess any personal 492
identifying information of another person with intent to do either 493
of the following: 494

(1) Hold the person out to be the other person; 495

(2) Represent the other person's personal identifying 496
information as the person's own personal identifying information. 497

(C) No person shall create, obtain, possess, or use the 498
personal identifying information of any person with the intent to 499
aid or abet another person in violating division (B) of this 500
section. 501

(D) No person, with intent to defraud, shall permit another 502
person to use the person's own personal identifying information. 503

(E) No person who is permitted to use another person's 504
personal identifying information as described in division (D) of 505
this section shall use, obtain, or possess the other person's 506
personal identifying information with intent to defraud any person 507
by doing any act identified in division (B)(1) or (2) of this 508
section. 509

(F)(1) It is an affirmative defense to a charge under 510
division (B) of this section that the person using the personal 511
identifying information is acting in accordance with a legally 512

recognized guardianship or conservatorship or as a trustee or 513
fiduciary. 514

(2) It is an affirmative defense to a charge under division 515
(B), (C), (D), or (E) of this section that either of the following 516
applies: 517

(a) The person or entity using, obtaining, possessing, or 518
creating the personal identifying information or permitting it to 519
be used is a law enforcement agency, authorized fraud personnel, 520
or a representative of or attorney for a law enforcement agency or 521
authorized fraud personnel and is using, obtaining, possessing, or 522
creating the personal identifying information or permitting it to 523
be used, with prior consent given as specified in this division, 524
in a bona fide investigation, an information security evaluation, 525
a pretext calling evaluation, or a similar matter. The prior 526
consent required under this division shall be given by the person 527
whose personal identifying information is being used, obtained, 528
possessed, or created or is being permitted to be used or, if the 529
person whose personal identifying information is being used, 530
obtained, possessed, or created or is being permitted to be used 531
is deceased, by that deceased person's executor, or a member of 532
that deceased person's family, or that deceased person's attorney. 533
The prior consent required under this division may be given orally 534
or in writing by the person whose personal identifying information 535
is being used, obtained, possessed, or created or is being 536
permitted to be used or that person's executor, or family member, 537
or attorney. 538

(b) The personal identifying information was obtained, 539
possessed, used, created, or permitted to be used for a lawful 540
purpose, provided that division (F)(2)(b) of this section does not 541
apply if the person or entity using, obtaining, possessing, or 542
creating the personal identifying information or permitting it to 543
be used is a law enforcement agency, authorized fraud personnel, 544

or a representative of or attorney for a law enforcement agency or 545
authorized fraud personnel that is using, obtaining, possessing, 546
or creating the personal identifying information or permitting it 547
to be used in an investigation, an information security 548
evaluation, a pretext calling evaluation, or similar matter. 549

(G) It is not a defense to a charge under this section that 550
the person whose personal identifying information was obtained, 551
possessed, used, created, or permitted to be used was deceased at 552
the time of the offense. 553

(H)(1) If an offender commits a violation of division (B), 554
(D), or (E) of this section and the violation occurs as part of a 555
course of conduct involving other violations of division (B), (D), 556
or (E) of this section or violations of, attempts to violate, 557
conspiracies to violate, or complicity in violations of division 558
(C) of this section or section 2913.02, 2913.04, 2913.11, 2913.21, 559
2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, the 560
court, in determining the degree of the offense pursuant to 561
division (I) of this section, may aggregate all credit, property, 562
or services obtained or sought to be obtained by the offender and 563
all debts or other legal obligations avoided or sought to be 564
avoided by the offender in the violations involved in that course 565
of conduct. The course of conduct may involve one victim or more 566
than one victim. 567

(2) If an offender commits a violation of division (C) of 568
this section and the violation occurs as part of a course of 569
conduct involving other violations of division (C) of this section 570
or violations of, attempts to violate, conspiracies to violate, or 571
complicity in violations of division (B), (D), or (E) of this 572
section or section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 573
2913.42, 2913.43, or 2921.13 of the Revised Code, the court, in 574
determining the degree of the offense pursuant to division (I) of 575
this section, may aggregate all credit, property, or services 576

obtained or sought to be obtained by the person aided or abetted 577
and all debts or other legal obligations avoided or sought to be 578
avoided by the person aided or abetted in the violations involved 579
in that course of conduct. The course of conduct may involve one 580
victim or more than one victim. 581

(I)(1) Whoever violates this section is guilty of identity 582
fraud. 583

(2) Except as otherwise provided in this division or division 584
(I)(3) of this section, identity fraud is a felony of the fifth 585
degree. If the value of the credit, property, services, debt, or 586
other legal obligation involved in the violation or course of 587
conduct is one thousand dollars or more and is less than seven 588
thousand five hundred dollars, except as otherwise provided in 589
division (I)(3) of this section, identity fraud is a felony of the 590
fourth degree. If the value of the credit, property, services, 591
debt, or other legal obligation involved in the violation or 592
course of conduct is seven thousand five hundred dollars or more 593
and is less than one hundred fifty thousand dollars, except as 594
otherwise provided in division (I)(3) of this section, identity 595
fraud is a felony of the third degree. If the value of the credit, 596
property, services, debt, or other legal obligation involved in 597
the violation or course of conduct is one hundred fifty thousand 598
dollars or more, except as otherwise provided in division (I)(3) 599
of this section, identity fraud is a felony of the second degree. 600

(3) If the victim of the offense is an elderly person ~~or~~, 601
disabled adult, active duty service member, or spouse of an active 602
duty service member, a violation of this section is identity fraud 603
against ~~an elderly a person or disabled adult in a protected~~ 604
class. Except as otherwise provided in this division, identity 605
fraud against ~~an elderly a person or disabled adult in a protected~~ 606
class is a felony of the ~~fifth~~ fourth degree. If the value of the 607
credit, property, services, debt, or other legal obligation 608

involved in the violation or course of conduct is one thousand 609
dollars or more and is less than seven thousand five hundred 610
dollars, identity fraud against ~~an elderly a person or disabled~~ 611
~~adult~~ in a protected class is a felony of the third degree. If the 612
value of the credit, property, services, debt, or other legal 613
obligation involved in the violation or course of conduct is seven 614
thousand five hundred dollars or more and is less than one hundred 615
fifty thousand dollars, identity fraud against ~~an elderly a person~~ 616
~~or disabled adult~~ in a protected class is a felony of the second 617
degree. If the value of the credit, property, services, debt, or 618
other legal obligation involved in the violation or course of 619
conduct is one hundred fifty thousand dollars or more, identity 620
fraud against ~~an elderly a person or disabled adult~~ in a protected 621
class is a felony of the first degree. 622

(J) In addition to the penalties described in division (I) of 623
this section, anyone injured in person or property by a violation 624
of division (B), (D), or (E) of this section who is the owner of 625
the identifying information involved in that violation has a civil 626
action against the offender pursuant to section 2307.60 of the 627
Revised Code. That person may also bring a civil action to enjoin 628
or restrain future acts that would constitute a violation of 629
division (B), (D), or (E) of this section. 630

Sec. 2913.61. (A) When a person is charged with a theft 631
offense, or with a violation of division (A)(1) of section 1716.14 632
of the Revised Code involving a victim who is an elderly person or 633
disabled adult that involves property or services valued at one 634
thousand dollars or more, property or services valued at one 635
thousand dollars or more and less than seven thousand five hundred 636
dollars, property or services valued at one thousand five hundred 637
dollars or more and less than seven thousand five hundred dollars, 638
property or services valued at seven thousand five hundred dollars 639
or more and less than thirty-seven thousand five hundred dollars, 640

property or services valued at seven thousand five hundred dollars 641
or more and less than one hundred fifty thousand dollars, property 642
or services valued at thirty-seven thousand five hundred dollars 643
or more and less than one hundred fifty thousand dollars, property 644
or services valued at thirty-seven thousand five hundred dollars 645
or more, property or services valued at one hundred fifty thousand 646
dollars or more, property or services valued at one hundred fifty 647
thousand dollars or more and less than seven hundred fifty 648
thousand dollars, property or services valued at seven hundred 649
fifty thousand dollars or more and less than one million five 650
hundred thousand dollars, or property or services valued at one 651
million five hundred thousand dollars or more, the jury or court 652
trying the accused shall determine the value of the property or 653
services as of the time of the offense and, if a guilty verdict is 654
returned, shall return the finding of value as part of the 655
verdict. In any case in which the jury or court determines that 656
the value of the property or services at the time of the offense 657
was one thousand dollars or more, it is unnecessary to find and 658
return the exact value, and it is sufficient if the finding and 659
return is to the effect that the value of the property or services 660
involved was one thousand dollars or more, was one thousand 661
dollars or more and less than seven thousand five hundred dollars, 662
was one thousand five hundred dollars or more and less than seven 663
thousand five hundred dollars, was seven thousand five hundred 664
dollars or more and less than thirty-seven thousand five hundred 665
dollars, ~~was seven thousand five hundred dollars or more and less~~ 666
~~than thirty seven thousand five hundred dollars,~~ was seven 667
thousand five hundred dollars or more and less than one hundred 668
fifty thousand dollars, was thirty-seven thousand five hundred 669
dollars or more and less than one hundred fifty thousand dollars, 670
was thirty-seven thousand five hundred dollars or more ~~and less~~ 671
~~than one hundred fifty thousand dollars,~~ was one hundred fifty 672
thousand dollars or more, was one hundred fifty thousand dollars 673

or more and less than seven hundred fifty thousand dollars, was 674
seven hundred fifty thousand dollars or more and less than one 675
million five hundred thousand dollars, or was one million five 676
hundred thousand dollars or more, whichever is relevant regarding 677
the offense. 678

(B) If more than one item of property or services is involved 679
in a theft offense or in a violation of division (A)(1) of section 680
1716.14 of the Revised Code involving a victim who is an elderly 681
person or disabled adult, the value of the property or services 682
involved for the purpose of determining the value as required by 683
division (A) of this section is the aggregate value of all 684
property or services involved in the offense. 685

(C)(1) When a series of offenses under section 2913.02 of the 686
Revised Code, or a series of violations of, attempts to commit a 687
violation of, conspiracies to violate, or complicity in violations 688
of division (A)(1) of section 1716.14, section 2913.02, 2913.03, 689
or 2913.04, division (B)(1) or (2) of section 2913.21, or section 690
2913.31 or 2913.43 of the Revised Code involving a victim who is 691
an elderly person or disabled adult, is committed by the offender 692
in the offender's same employment, capacity, or relationship to 693
another, all of those offenses shall be tried as a single offense. 694
When a series of offenses under section 2913.02 of the Revised 695
Code, or a series of violations of, attempts to commit a violation 696
of, conspiracies to violate, or complicity in violations of 697
section 2913.02 or 2913.43 of the Revised Code involving a victim 698
who is an active duty service member or spouse of an active duty 699
service member is committed by the offender in the offender's same 700
employment, capacity, or relationship to another, all of those 701
offenses shall be tried as a single offense. The value of the 702
property or services involved in the series of offenses for the 703
purpose of determining the value as required by division (A) of 704
this section is the aggregate value of all property and services 705

involved in all offenses in the series. 706

(2) If an offender commits a series of offenses under section 707
2913.02 of the Revised Code that involves a common course of 708
conduct to defraud multiple victims, all of the offenses may be 709
tried as a single offense. If an offender is being tried for the 710
commission of a series of violations of, attempts to commit a 711
violation of, conspiracies to violate, or complicity in violations 712
of division (A)(1) of section 1716.14, section 2913.02, 2913.03, 713
or 2913.04, division (B)(1) or (2) of section 2913.21, or section 714
2913.31 or 2913.43 of the Revised Code, whether committed against 715
one victim or more than one victim, involving a victim who is an 716
elderly person or disabled adult, pursuant to a scheme or course 717
of conduct, all of those offenses may be tried as a single 718
offense. If an offender is being tried for the commission of a 719
series of violations of, attempts to commit a violation of,
conspiracies to violate, or complicity in violations of section 720
2913.02 or 2913.43 of the Revised Code, whether committed against 721
one victim or more than one victim, involving a victim who is an 723
active duty service member or spouse of an active duty service 724
member pursuant to a scheme or course of conduct, all of those 725
offenses may be tried as a single offense. If the offenses are 726
tried as a single offense, the value of the property or services 727
involved for the purpose of determining the value as required by 728
division (A) of this section is the aggregate value of all 729
property and services involved in all of the offenses in the 730
course of conduct. 731

(3) When a series of two or more offenses under section 732
2913.40, 2913.48, or 2921.41 of the Revised Code is committed by 733
the offender in the offender's same employment, capacity, or 734
relationship to another, all of those offenses may be tried as a 735
single offense. If the offenses are tried as a single offense, the 736
value of the property or services involved for the purpose of 737

determining the value as required by division (A) of this section 738
is the aggregate value of all property and services involved in 739
all of the offenses in the series of two or more offenses. 740

(4) In prosecuting a single offense under division (C)(1), 741
(2), or (3) of this section, it is not necessary to separately 742
allege and prove each offense in the series. Rather, it is 743
sufficient to allege and prove that the offender, within a given 744
span of time, committed one or more theft offenses or violations 745
of section 2913.40, 2913.48, or 2921.41 of the Revised Code in the 746
offender's same employment, capacity, or relationship to another 747
as described in division (C)(1) or (3) of this section, or 748
committed one or more theft offenses that involve a common course 749
of conduct to defraud multiple victims or a scheme or course of 750
conduct as described in division (C)(2) of this section. While it 751
is not necessary to separately allege and prove each offense in 752
the series in order to prosecute a single offense under division 753
(C)(1), (2), or (3) of this section, it remains necessary in 754
prosecuting them as a single offense to prove the aggregate value 755
of the property or services in order to meet the requisite 756
statutory offense level sought by the prosecution. 757

(D) The following criteria shall be used in determining the 758
value of property or services involved in a theft offense: 759

(1) The value of an heirloom, memento, collector's item, 760
antique, museum piece, manuscript, document, record, or other 761
thing that has intrinsic worth to its owner and that either is 762
irreplaceable or is replaceable only on the expenditure of 763
substantial time, effort, or money, is the amount that would 764
compensate the owner for its loss. 765

(2) The value of personal effects and household goods, and of 766
materials, supplies, equipment, and fixtures used in the 767
profession, business, trade, occupation, or avocation of its 768
owner, which property is not covered under division (D)(1) of this 769

section and which retains substantial utility for its purpose 770
regardless of its age or condition, is the cost of replacing the 771
property with new property of like kind and quality. 772

(3) The value of any real or personal property that is not 773
covered under division (D)(1) or (2) of this section, and the 774
value of services, is the fair market value of the property or 775
services. As used in this section, "fair market value" is the 776
money consideration that a buyer would give and a seller would 777
accept for property or services, assuming that the buyer is 778
willing to buy and the seller is willing to sell, that both are 779
fully informed as to all facts material to the transaction, and 780
that neither is under any compulsion to act. 781

(E) Without limitation on the evidence that may be used to 782
establish the value of property or services involved in a theft 783
offense: 784

(1) When the property involved is personal property held for 785
sale at wholesale or retail, the price at which the property was 786
held for sale is prima-facie evidence of its value. 787

(2) When the property involved is a security or commodity 788
traded on an exchange, the closing price or, if there is no 789
closing price, the asked price, given in the latest market 790
quotation prior to the offense is prima-facie evidence of the 791
value of the security or commodity. 792

(3) When the property involved is livestock, poultry, or raw 793
agricultural products for which a local market price is available, 794
the latest local market price prior to the offense is prima-facie 795
evidence of the value of the livestock, poultry, or products. 796

(4) When the property involved is a negotiable instrument, 797
the face value is prima-facie evidence of the value of the 798
instrument. 799

(5) When the property involved is a warehouse receipt, bill 800

of lading, pawn ticket, claim check, or other instrument entitling 801
the holder or bearer to receive property, the face value or, if 802
there is no face value, the value of the property covered by the 803
instrument less any payment necessary to receive the property is 804
prima-facie evidence of the value of the instrument. 805

(6) When the property involved is a ticket of admission, 806
ticket for transportation, coupon, token, or other instrument 807
entitling the holder or bearer to receive property or services, 808
the face value or, if there is no face value, the value of the 809
property or services that may be received by the instrument is 810
prima-facie evidence of the value of the instrument. 811

(7) When the services involved are gas, electricity, water, 812
telephone, transportation, shipping, or other services for which 813
the rate is established by law, the duly established rate is 814
prima-facie evidence of the value of the services. 815

(8) When the services involved are services for which the 816
rate is not established by law, and the offender has been notified 817
prior to the offense of the rate for the services, either in 818
writing, orally, or by posting in a manner reasonably calculated 819
to come to the attention of potential offenders, the rate 820
contained in the notice is prima-facie evidence of the value of 821
the services. 822

Sec. 3333.164. (A) As used in this section, "state 823
institution of higher education" has the same meaning as in 824
section 3345.011 of the Revised Code. 825

(B) Not later than December 31, 2014, the chancellor of the 826
Ohio board of regents shall do all of the following with regard to 827
the awarding of college credit for military training, experience, 828
and coursework: 829

(1) Develop a set of standards and procedures for state 830

institutions of higher education to utilize in the granting of 831
college credit for military training, experience, and coursework; 832

(2) Create a military articulation and transfer assurance 833
guide for college credit that is earned through military training, 834
experience, and coursework. The chancellor shall use the current 835
articulation and transfer policy adopted pursuant to section 836
3333.16 of the Revised Code as a model in developing this guide. 837

(3) Create a web site that contains information related to 838
the awarding of college credit for military training, experience, 839
and coursework. The web site shall include both of the following: 840

(a) Standardized resources that address frequently asked 841
questions regarding the awarding of such credit and related 842
issues. 843

(b) A statewide database that shows how specified military 844
training, experience, and coursework translates to college credit. 845

(4) Develop a statewide training program that prepares 846
faculty and staff of state institutions of higher education to 847
evaluate various military training, experience, and coursework and 848
to award appropriate equivalent credit. The training program shall 849
incorporate the best practices of awarding credit for military 850
experiences, including both the recommendations of the American 851
council on education and the standards developed by the council 852
for adult and experiential learning. 853

(C) Beginning on July 1, 2015, state institutions of higher 854
education shall ensure that appropriate equivalent credit is 855
awarded for military training, experience, and coursework that 856
meet the standards developed by the chancellor pursuant to this 857
section. 858

Sec. 3345.42. Not later than December 31, 2014, the board of 859
trustees of each state institution of higher education, as defined 860

in section 3345.011 of the Revised Code, shall do both of the 861
following: 862

(A) Designate at least one person employed by the institution 863
to serve as the contact person for veterans affairs. Such a person 864
shall assist and advise veterans on issues related to earning 865
college credit for military training, experience, and coursework. 866

(B) Adopt a policy regarding the support and assistance the 867
institution will provide to veterans. 868

The chancellor of the Ohio board of regents shall provide 869
guidance to state institutions of higher education in their 870
compliance with this section, including the recommendation of 871
standardized policies on support and assistance to veterans. 872

The person or persons designated under division (A) of this 873
section shall not be a person currently designated by the 874
institution as a veterans administration certifying official. 875

Sec. 3345.43. (A) Not later than December 31, 2014, and 876
continuing thereafter, each state institution of higher education, 877
as defined in section 3345.011 of the Revised Code, shall provide 878
a student who is either a veteran or a service member with 879
priority for course registration. 880

(B) As used in this section: 881

(1) "Service member" means a person who is serving in the 882
armed forces of the United States. 883

(2) "Veteran" means any person who has completed service in 884
the armed forces, including the national guard of any state or a 885
reserve component of the armed forces, and who has been discharged 886
under honorable conditions from the armed forces or who has been 887
transferred to the reserve with evidence of satisfactory service. 888

Sec. 3345.44. Not later than December 31, 2014, the board of trustees or managing authority of each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall establish an appeals procedure for students who are veterans for resolving disputes regarding the awarding of college credit for military experience.

Sec. 3345.46. (A) On or after December 31, 2014, no state institution of higher education, as defined in section 3345.011 of the Revised Code, shall charge a student who is a veteran or a service member any fee for the evaluation of, transcription of, or application for college credit for military experience.

(B) As used in this section:

(1) "Service member" means a person who is serving in the armed forces of the United States.

(2) "Veteran" means any person who has completed service in the armed forces, including the national guard of any state or a reserve component of the armed forces, and who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service.

Sec. 4729.12. An identification card issued by the state board of pharmacy under section 4729.08 of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist or as a pharmacy intern in this state until the next annual renewal date.

Identification cards shall be renewed annually on the fifteenth day of September, according to the standard renewal procedure of Chapter 4745. of the Revised Code.

Each pharmacist and pharmacy intern shall carry the identification card or renewal identification card while engaged

in the practice of pharmacy. The license shall be conspicuously 918
exposed at the principal place where the pharmacist or pharmacy 919
intern practices pharmacy. 920

A pharmacist or pharmacy intern who desires to continue in 921
the practice of pharmacy shall file with the board an application 922
in such form and containing such data as the board may require for 923
renewal of an identification card. An application filed under this 924
section may not be withdrawn without the approval of the board. If 925
the board finds that the applicant's card has not been revoked or 926
placed under suspension and that the applicant has paid the 927
renewal fee, has continued pharmacy education in accordance with 928
the rules of the board, and is entitled to continue in the 929
practice of pharmacy, the board shall issue a renewal 930
identification card to the applicant. 931

When an identification card has lapsed for more than sixty 932
days but application is made within three years after the 933
expiration of the card, the applicant shall be issued a renewal 934
identification card without further examination if the applicant 935
meets the requirements of this section and pays the fee designated 936
under division ~~(E)~~(A)(5) of section 4729.15 of the Revised Code. 937

Sec. 4729.13. A pharmacist who fails to make application to 938
the state board of pharmacy for a renewal identification card 939
within a period of three years from the expiration of the 940
identification card must pass an examination for registration; 941
except that a pharmacist whose registration has expired, but who 942
has continually practiced pharmacy in another state under a 943
license issued by the authority of that state, may obtain a 944
renewal identification card upon payment to the executive director 945
of the board the fee designated under division ~~(F)~~(A)(6) of 946
section 4729.15 of the Revised Code. 947

Sec. 4729.15. The (A) Except as provided in division (B) of 948
this section, the state board of pharmacy shall charge the 949
following fees: 950

~~(A)~~(1) For applying for a license to practice as a 951
pharmacist, an amount adequate to cover all rentals, compensation 952
for proctors, and other expenses of the board related to 953
examination except the expenses of procuring and grading the 954
examination, which fee shall not be returned if the applicant 955
fails to pass the examination; 956

~~(B)~~(2) For the examination of an applicant for licensure as a 957
pharmacist, an amount adequate to cover any expenses to the board 958
of procuring and grading the examination or any part thereof, 959
which fee shall not be returned if the applicant fails to pass the 960
examination; 961

~~(C)~~(3) For issuing a license and an identification card to an 962
individual who passes the examination described in section 4729.07 963
of the Revised Code, an amount that is adequate to cover the 964
expense; 965

~~(D)~~(4) For a pharmacist applying for renewal of an 966
identification card within sixty days after the expiration date, 967
ninety-seven dollars and fifty cents, which fee shall not be 968
returned if the applicant fails to qualify for renewal; 969

~~(E)~~(5) For a pharmacist applying for renewal of an 970
identification card that has lapsed for more than sixty days, but 971
for less than three years, one hundred thirty-five dollars, which 972
fee shall not be returned if the applicant fails to qualify for 973
renewal; 974

~~(F)~~(6) For a pharmacist applying for renewal of an 975
identification card that has lapsed for more than three years, 976
three hundred thirty-seven dollars and fifty cents, which fee 977

shall not be returned if the applicant fails to qualify for 978
renewal; 979

~~(G)~~(7) For a pharmacist applying for a license and 980
identification card, on presentation of a pharmacist license 981
granted by another state, three hundred thirty-seven dollars and 982
fifty cents, which fee shall not be returned if the applicant 983
fails to qualify for licensure. 984

~~(H)~~(8) For a license and identification card to practice as a 985
pharmacy intern, twenty-two dollars and fifty cents, which fee 986
shall not be returned if the applicant fails to qualify for 987
licensure; 988

~~(I)~~(9) For the renewal of a pharmacy intern identification 989
card, twenty-two dollars and fifty cents, which fee shall not be 990
returned if the applicant fails to qualify for renewal; 991

~~(J)~~(10) For issuing a replacement license to a pharmacist, 992
twenty-two dollars and fifty cents; 993

~~(K)~~(11) For issuing a replacement license to a pharmacy 994
intern, seven dollars and fifty cents; 995

~~(L)~~(12) For issuing a replacement identification card to a 996
pharmacist, thirty-seven dollars and fifty cents, or pharmacy 997
intern, seven dollars and fifty cents; 998

~~(M)~~(13) For certifying licensure and grades for reciprocal 999
licensure, ten dollars; 1000

~~(N)~~(14) For making copies of any application, affidavit, or 1001
other document filed in the state board of pharmacy office, an 1002
amount fixed by the board that is adequate to cover the expense, 1003
except that for copies required by federal or state agencies or 1004
law enforcement officers for official purposes, no charge need be 1005
made; 1006

~~(O)~~(15) For certifying and affixing the seal of the board, an 1007

amount fixed by the board that is adequate to cover the expense, 1008
except that for certifying and affixing the seal of the board to a 1009
document required by federal or state agencies or law enforcement 1010
officers for official purposes, no charge need be made; 1011

~~(P)~~(16) For each copy of a book or pamphlet that includes 1012
laws administered by the state board of pharmacy, rules adopted by 1013
the board, and chapters of the Revised Code with which the board 1014
is required to comply, an amount fixed by the board that is 1015
adequate to cover the expense of publishing and furnishing the 1016
book or pamphlet. 1017

(B)(1) Subject to division (B)(2) of this section, the fees 1018
described in divisions (A)(1) to (13) of this section do not apply 1019
to an individual who is on active duty in the armed forces of the 1020
United States or to an individual who served in the armed forces 1021
of the United States and presents a valid copy of the individual's 1022
DD-214 form or an equivalent document issued by the United States 1023
department of defense indicating that the individual is an 1024
honorably discharged veteran. 1025

(2) The state board of pharmacy may establish limits with 1026
respect to the individuals for whom fees are not applicable under 1027
division (B)(1) of this section. 1028

Sec. 4731.36. (A) Sections 4731.01 to 4731.47 of the Revised 1029
Code shall not prohibit service in case of emergency, domestic 1030
administration of family remedies, or provision of assistance to 1031
another individual who is self-administering drugs. 1032

Sections 4731.01 to 4731.47 of the Revised Code shall not 1033
apply to any of the following: 1034

(1) A commissioned medical officer of the armed forces of the 1035
United States ~~armed forces, as defined in section 5903.11 of the~~ 1036
~~Revised Code,~~ or an employee of the veterans administration of the 1037

United States or the United States public health service in the 1038
discharge of the officer's or employee's professional duties; 1039

(2) A dentist authorized under Chapter 4715. of the Revised 1040
Code to practice dentistry when engaged exclusively in the 1041
practice of dentistry or when administering anesthetics in the 1042
practice of dentistry; 1043

(3) A physician or surgeon in another state or territory who 1044
is a legal practitioner of medicine or surgery therein when 1045
providing consultation to an individual holding a certificate to 1046
practice issued under this chapter who is responsible for the 1047
examination, diagnosis, and treatment of the patient who is the 1048
subject of the consultation, if one of the following applies: 1049

(a) The physician or surgeon does not provide consultation in 1050
this state on a regular or frequent basis. 1051

(b) The physician or surgeon provides the consultation 1052
without compensation of any kind, direct or indirect, for the 1053
consultation. 1054

(c) The consultation is part of the curriculum of a medical 1055
school or osteopathic medical school of this state or a program 1056
described in division (A)(2) of section 4731.291 of the Revised 1057
Code. 1058

(4) A physician or surgeon in another state or territory who 1059
is a legal practitioner of medicine or surgery therein and 1060
provided services to a patient in that state or territory, when 1061
providing, not later than one year after the last date services 1062
were provided in another state or territory, follow-up services in 1063
person or through the use of any communication, including oral, 1064
written, or electronic communication, in this state to the patient 1065
for the same condition; 1066

(5) A physician or surgeon residing on the border of a 1067
contiguous state and authorized under the laws thereof to practice 1068

medicine and surgery therein, whose practice extends within the 1069
limits of this state. Such practitioner shall not either in person 1070
or through the use of any communication, including oral, written, 1071
or electronic communication, open an office or appoint a place to 1072
see patients or receive calls within the limits of this state. 1073

(6) A board, committee, or corporation engaged in the conduct 1074
described in division (A) of section 2305.251 of the Revised Code 1075
when acting within the scope of the functions of the board, 1076
committee, or corporation; 1077

(7) The conduct of an independent review organization 1078
accredited by the superintendent of insurance under section 1079
3922.13 of the Revised Code for the purpose of external reviews 1080
conducted under Chapter 3922. of the Revised Code. 1081

As used in division (A)(1) of this section, "armed forces of 1082
the United States" means the army, air force, navy, marine corps, 1083
coast guard, and any other military service branch that is 1084
designated by congress as a part of the armed forces of the United 1085
States. 1086

(B)(1) Subject to division (B)(2) of this section, this 1087
chapter does not apply to a person who holds a current, 1088
unrestricted license to practice medicine and surgery or 1089
osteopathic medicine and surgery in another state when the person, 1090
pursuant to a written agreement with an athletic team located in 1091
the state in which the person holds the license, provides medical 1092
services to any of the following while the team is traveling to or 1093
from or participating in a sporting event in this state: 1094

(a) A member of the athletic team; 1095

(b) A member of the athletic team's coaching, communications, 1096
equipment, or sports medicine staff; 1097

(c) A member of a band or cheerleading squad accompanying the 1098
athletic team; 1099

(d) The athletic team's mascot.	1100
(2) In providing medical services pursuant to division (B)(1) of this section, the person shall not provide medical services at a health care facility, including a hospital, an ambulatory surgical facility, or any other facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis.	1101 1102 1103 1104 1105 1106
(C) Sections 4731.51 to 4731.61 of the Revised Code do not apply to any graduate of a podiatric school or college while performing those acts that may be prescribed by or incidental to participation in an accredited podiatric internship, residency, or fellowship program situated in this state approved by the state medical board.	1107 1108 1109 1110 1111 1112
(D) This chapter does not apply to an oriental medicine practitioner or acupuncturist who complies with Chapter 4762. of the Revised Code.	1113 1114 1115
(E) This chapter does not prohibit the administration of drugs by any of the following:	1116 1117
(1) An individual who is licensed or otherwise specifically authorized by the Revised Code to administer drugs;	1118 1119
(2) An individual who is not licensed or otherwise specifically authorized by the Revised Code to administer drugs, but is acting pursuant to the rules for delegation of medical tasks adopted under section 4731.053 of the Revised Code;	1120 1121 1122 1123
(3) An individual specifically authorized to administer drugs pursuant to a rule adopted under the Revised Code that is in effect on April 10, 2001, as long as the rule remains in effect, specifically authorizing an individual to administer drugs.	1124 1125 1126 1127
(F) The exemptions described in divisions (A)(3), (4), and (5) of this section do not apply to a physician or surgeon whose	1128 1129

certificate to practice issued under this chapter is under 1130
suspension or has been revoked or permanently revoked by action of 1131
the state medical board. 1132

Sec. 4743.04. (A) The renewal of a license or other 1133
authorization to practice a trade or profession issued under Title 1134
XLVII of the Revised Code is subject to the provisions of section 1135
5903.10 of the Revised Code relating to service in the armed 1136
~~forces of the United States or a reserve component of the armed~~ 1137
~~forces of the United States, including the Ohio national guard or~~ 1138
~~the national guard of any other state.~~ 1139

(B) Continuing education requirements applicable to the 1140
licensees under Title XLVII of the Revised Code are subject to the 1141
provisions of section 5903.12 of the Revised Code relating to 1142
active duty military service. 1143

(C) A department, agency, or office of this state or of any 1144
political subdivision of this state that issues a license or 1145
certificate to practice a trade or profession may, pursuant to 1146
rules adopted by the department, agency, or office, issue a 1147
temporary license or certificate to practice the trade or 1148
profession to a person whose spouse is on active military duty in 1149
this state. 1150

(D) The issuance of a license or other authorization to 1151
practice a trade or profession issued under Title XLVII of the 1152
Revised Code is subject to the provisions of section 5903.03 of 1153
the Revised Code relating to service in the armed forces ~~of the~~ 1154
~~United States or a reserve component of the armed forces of the~~ 1155
~~United States, including the Ohio national guard or the national~~ 1156
~~guard of any other state.~~ 1157

Sec. 5902.02. The duties of the director of veterans services 1158
shall include the following: 1159

(A) Furnishing the veterans service commissions of all	1160
counties of the state copies of the state laws, rules, and	1161
legislation relating to the operation of the commissions and their	1162
offices;	1163
(B) Upon application, assisting the general public in	1164
obtaining records of vital statistics pertaining to veterans or	1165
their dependents;	1166
(C) Adopting rules pursuant to Chapter 119. of the Revised	1167
Code pertaining to minimum qualifications for hiring, certifying,	1168
and accrediting county veterans service officers, pertaining to	1169
their required duties, and pertaining to revocation of the	1170
certification of county veterans service officers;	1171
(D) Adopting rules pursuant to Chapter 119. of the Revised	1172
Code for the education, training, certification, and duties of	1173
veterans service commissioners and for the revocation of the	1174
certification of a veterans service commissioner;	1175
(E) Developing and monitoring programs and agreements	1176
enhancing employment and training for veterans in single or	1177
multiple county areas;	1178
(F) Developing and monitoring programs and agreements to	1179
enable county veterans service commissions to address	1180
homelessness, indigency, and other veteran-related issues	1181
individually or jointly;	1182
(G) Developing and monitoring programs and agreements to	1183
enable state agencies, individually or jointly, that provide	1184
services to veterans, including the veterans' homes operated under	1185
Chapter 5907. of the Revised Code and the director of job and	1186
family services, to address homelessness, indigency, employment,	1187
and other veteran-related issues;	1188
(H) Establishing and providing statistical reporting formats	1189
and procedures for county veterans service commissions;	1190

(I) Publishing electronically a listing of county veterans service offices and county veterans service commissioners. The listing shall include the expiration dates of commission members' terms of office and the organizations they represent; the names, addresses, and telephone numbers of county veterans service offices; and the addresses and telephone numbers of the Ohio offices and headquarters of state and national veterans service organizations.

(J) Establishing a veterans advisory committee to advise and assist the department of veterans services in its duties. Members shall include a member of the national guard association of the United States who is a resident of this state, a member of the military officers association of America who is a resident of this state, a state representative of congressionally chartered veterans organizations referred to in section 5901.02 of the Revised Code, a representative of any other congressionally chartered state veterans organization that has at least one veterans service commissioner in the state, three representatives of the Ohio state association of county veterans service commissioners, who shall have a combined vote of one, three representatives of the state association of county veterans service officers, who shall have a combined vote of one, one representative of the county commissioners association of Ohio, who shall be a county commissioner not from the same county as any of the other county representatives, a representative of the advisory committee on women veterans, a representative of a labor organization, and a representative of the office of the attorney general. The department of veterans services shall submit to the advisory committee proposed rules for the committee's operation. The committee may review and revise these proposed rules prior to submitting them to the joint committee on agency rule review.

(K) Adopting, with the advice and assistance of the veterans

advisory committee, policy and procedural guidelines that the 1223
veterans service commissions shall adhere to in the development 1224
and implementation of rules, policies, procedures, and guidelines 1225
for the administration of Chapter 5901. of the Revised Code. The 1226
department of veterans services shall adopt no guidelines or rules 1227
regulating the purposes, scope, duration, or amounts of financial 1228
assistance provided to applicants pursuant to sections 5901.01 to 1229
5901.15 of the Revised Code. The director of veterans services may 1230
obtain opinions from the office of the attorney general regarding 1231
rules, policies, procedures, and guidelines of the veterans 1232
service commissions and may enforce compliance with Chapter 5901. 1233
of the Revised Code. 1234

(L) Receiving copies of form DD214 filed in accordance with 1235
the director's guidelines adopted under division (L) of this 1236
section from members of veterans service commissions appointed 1237
under section 5901.02 and from county veterans service officers 1238
employed under section 5901.07 of the Revised Code; 1239

(M) Developing and maintaining and improving a resource, such 1240
as a telephone answering point or a web site, by means of which 1241
veterans and their dependents, through a single portal, can access 1242
multiple sources of information and interaction with regard to the 1243
rights of, and the benefits available to, veterans and their 1244
dependents. The director of veterans services may enter into 1245
agreements with state and federal agencies, with agencies of 1246
political subdivisions, with state and local instrumentalities, 1247
and with private entities as necessary to make the resource as 1248
complete as is possible. 1249

(N) Planning, organizing, advertising, and conducting 1250
outreach efforts, such as conferences and fairs, at which veterans 1251
and their dependents may meet, learn about the organization and 1252
operation of the department of veterans services and of veterans 1253
service commissions, and obtain information about the rights of, 1254

and the benefits and services available to, veterans and their dependents; 1255
1256

(O) Advertising, in print, on radio and television, and otherwise, the rights of, and the benefits and services available to, veterans and their dependents; 1257
1258
1259

(P) Developing and advocating improved benefits and services for, and improved delivery of benefits and services to, veterans and their dependents; 1260
1261
1262

(Q) Searching for, identifying, and reviewing statutory and administrative policies that relate to veterans and their dependents and reporting to the general assembly statutory and administrative policies that should be consolidated in whole or in part within the organization of the department of veterans services to unify funding, delivery, and accounting of statutory and administrative policy expressions that relate particularly to veterans and their dependents; 1263
1264
1265
1266
1267
1268
1269
1270

(R) Encouraging veterans service commissions to innovate and otherwise to improve efficiency in delivering benefits and services to veterans and their dependents and to report successful innovations and efficiencies to the director of veterans services; 1271
1272
1273
1274

(S) Publishing and encouraging adoption of successful innovations and efficiencies veterans service commissions have achieved in delivering benefits and services to veterans and their dependents; 1275
1276
1277
1278

(T) Establishing advisory committees, in addition to the veterans advisory committee established under division (K) of this section, on veterans issues; 1279
1280
1281

(U) Developing and maintaining a relationship with the United States department of veterans affairs, seeking optimal federal benefits and services for Ohio veterans and their dependents, and encouraging veterans service commissions to maximize the federal 1282
1283
1284
1285

benefits and services to which veterans and their dependents are 1286
entitled; 1287

(V) Developing and maintaining relationships with the several 1288
veterans organizations, encouraging the organizations in their 1289
efforts at assisting veterans and their dependents, and advocating 1290
for adequate state subsidization of the organizations; 1291

(W) Requiring the several veterans organizations that receive 1292
funding from the state annually, not later than the thirtieth day 1293
of July, to report to the director of veterans services and 1294
prescribing the form and content of the report; 1295

(X) Reviewing the reports submitted to the director under 1296
division (W) of this section within thirty days of receipt and 1297
informing the veterans organization of any deficiencies that exist 1298
in the organization's report and that funding will not be released 1299
until the deficiencies have been corrected and a satisfactory 1300
report submitted; 1301

(Y) Advising the director of budget and management when a 1302
report submitted to the director under division (W) of this 1303
section has been reviewed and determined to be satisfactory; 1304

(Z) Furnishing copies of all reports that the director of 1305
veterans services has determined have been submitted 1306
satisfactorily under division (W) of this section to the 1307
chairperson of the finance committees of the general assembly; 1308

(AA) Investigating complaints against county veterans 1309
services commissioners and county veterans service officers if the 1310
director reasonably believes the investigation to be appropriate 1311
and necessary; 1312

(BB) Developing and maintaining a web site that is accessible 1313
by veterans and their dependents and provides a link to the web 1314
site of each state agency that issues a license, certificate, or 1315
other authorization permitting an individual to engage in an 1316

<u>occupation or occupational activity;</u>	1317
<u>(CC) Encouraging state agencies to conduct outreach efforts through which veterans and their dependents can learn about available job and education benefits;</u>	1318 1319 1320
<u>(DD) Informing state agencies about changes in statutes and rules that affect veterans and their dependents;</u>	1321 1322
<u>(EE) Assisting licensing agencies in adopting rules under section 5903.03 of the Revised Code;</u>	1323 1324
<u>(FF) Taking any other actions required by this chapter.</u>	1325
<u>Sec. 5903.01. As used in this chapter:</u>	1326
<u>"Armed forces" means the armed forces of the United States, including the army, navy, air force, marine corps, coast guard, or any reserve components of those forces; the national guard of any state; the commissioned corps of the United States public health service; the merchant marine service during wartime; such other service as may be designated by congress; or the Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.</u>	1327 1328 1329 1330 1331 1332 1333 1334
<u>"License" means a license, certificate, permit, or other authorization issued or conferred by a licensing agency under which a licensee may engage in a profession, occupation, or occupational activity.</u>	1335 1336 1337 1338
<u>"Licensee" means a person to whom all of the following apply:</u>	1339
<u>(A) The person has been issued a license by a licensing agency.</u>	1340 1341
<u>(B) The person has been a member of the armed forces.</u>	1342
<u>(C) The person has served on active duty, whether inside or outside the United States, for a period in excess of thirty-one days.</u>	1343 1344 1345

"Licensing agency" means any state department, division, board, commission, agency, or other state governmental unit authorized by the Revised Code to issue a license. 1346
1347
1348

"Member" means any person who is serving in the armed forces. 1349

"Merchant marine" includes the United States army transport service and the United States naval transport service. 1350
1351

"Veteran" means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service. 1352
1353
1354
1355
1356

Sec. 5903.03. (A) As used in this section: 1357

~~(1) "License" and "licensing agency" have the meanings defined in section 5903.12 of the Revised Code.~~ 1358
1359

~~(2) "Military, "military program of training" means a training program of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state.~~ 1360
1361
1362
1363
1364

(B) Notwithstanding any provision of the Revised Code to the contrary, a licensing agency shall consider an applicant for a license: 1365
1366
1367

(1) To have met the educational requirement for that license if the applicant has completed a military program of training and has been awarded a military primary specialty at a level that is substantially equivalent to or exceeds the educational requirement for that license; and 1368
1369
1370
1371
1372

(2) To have met the experience requirement for that license if the applicant has served in that military primary specialty under honorable conditions for a period of time that is 1373
1374
1375

substantially equivalent to or exceeds the experience requirement 1376
for that license. 1377

(C) Each licensing agency, not later than June 30, 2014, 1378
shall adopt rules under Chapter 119. of the Revised Code regarding 1379
which military programs of training, military primary specialties, 1380
and lengths of service are substantially equivalent to or exceed 1381
the educational and experience requirements for each license that 1382
agency issues. 1383

Sec. 5903.04. Each licensing agency shall adopt rules under 1384
Chapter 119. of the Revised Code to establish and implement all of 1385
the following: 1386

(A) A process to obtain from each applicant documentation and 1387
additional information necessary to determine if the applicant is 1388
a member or veteran, or the spouse or surviving spouse of a member 1389
or veteran; 1390

(B) A process to record, track, and monitor applications that 1391
have been received from a member, veteran, or the spouse or 1392
surviving spouse of a member or veteran; and 1393

(C) A process to prioritize and expedite certification or 1394
licensing for each applicant who is a member, veteran, or the 1395
spouse or a surviving spouse of a member or veteran. 1396

In establishing these processes, the licensing agency shall 1397
include any special accommodations that may be appropriate for 1398
applicants facing imminent deployment. 1399

Sec. 5903.05. A licensing agency shall apply for approval to 1400
the state approving agency at the Ohio department of veterans 1401
services as required under 38 U.S.C. 3672(a) to enable an eligible 1402
person or veteran to receive education benefits through the United 1403
States department of veterans affairs. 1404

Sec. 5903.10. (A) A holder of an expired license or 1405
certificate from this state or any political subdivision or agency 1406
of the state to practice a trade or profession shall be granted a 1407
renewal of the license or certificate by the issuing board or 1408
authority at the usual cost without penalty and without 1409
re-examination if not otherwise disqualified because of mental or 1410
physical disability and if either of the following applies: 1411

(1) The license or certificate was not renewed because of the 1412
holder's service in the armed forces ~~of the United States or a~~ 1413
~~reserve component of the armed forces of the United States,~~ 1414
~~including the Ohio national guard or the national guard of any~~ 1415
~~other state.~~ 1416

(2) The license or certificate was not renewed because the 1417
holder's spouse served in the armed forces of the United States or 1418
a reserve component of the armed forces ~~of the United States,~~ 1419
~~including the Ohio national guard or the national guard of any~~ 1420
~~other state,~~ and the service resulted in the holder's absence from 1421
this state. 1422

(B) A renewal shall not be granted under division (A) of this 1423
section unless the holder or the holder's spouse, whichever is 1424
applicable, has presented satisfactory evidence of the service 1425
member's discharge under honorable conditions or release under 1426
honorable conditions from active duty or national guard duty 1427
within six months after the discharge or release. 1428

Sec. 5903.11. (A) Any federally funded employment and 1429
training program administered by any state agency including, but 1430
not limited to, the "Workforce Investment Act of 1998," 112 Stat. 1431
936, codified in scattered sections of 29 U.S.C., as amended, 1432
shall include a veteran priority system to provide maximum 1433
employment and training opportunities to veterans and eligible 1434

persons within each targeted group as established by federal law 1435
and state and federal policy in the service area. Disabled 1436
veterans, veterans of the Vietnam era, other veterans, and 1437
eligible persons shall receive preference over nonveterans within 1438
each targeted group in the provision of employment and training 1439
services available through these programs as required by this 1440
section. 1441

(B) Each state agency shall refer qualified applicants to job 1442
openings and training opportunities in programs described in 1443
division (A) of this section in the following order of priority: 1444

(1) Special disabled veterans; 1445

(2) Veterans of the Vietnam era; 1446

(3) Disabled veterans; 1447

(4) All other veterans; 1448

(5) Other eligible persons; 1449

(6) Nonveterans. 1450

(C) Each state agency providing employment and training 1451
services to veterans and eligible persons under programs described 1452
in division (A) of this section shall submit an annual written 1453
report to the speaker of the house of representatives and the 1454
president of the senate on the services that it provides to 1455
veterans and eligible persons. Each such agency shall report 1456
separately on all entitlement programs, employment or training 1457
programs, and any other programs that it provides to each class of 1458
persons described in divisions (B)(1) to (6) of this section. Each 1459
such agency shall also report on action taken to ensure compliance 1460
with statutory requirements. Compliance and reporting procedures 1461
shall be in accordance with the reporting procedures then in 1462
effect for all employment and training programs described in 1463
division (A) of this section, with the addition of veterans as a 1464

separate reporting module.	1465
(D) All state agencies that administer federally funded employment and training programs described in division (A) of this section for veterans and eligible persons shall do all of the following:	1466 1467 1468 1469
(1) Ensure that veterans are treated with courtesy and respect at all state governmental facilities;	1470 1471
(2) Give priority in referral to jobs to qualified veterans and other eligible persons;	1472 1473
(3) Give priority in referral to and enrollment in training programs to qualified veterans and other eligible persons;	1474 1475
(4) Give preferential treatment to special disabled veterans in the provision of all needed state services;	1476 1477
(5) Provide information and effective referral assistance to veterans and other eligible persons regarding needed benefits and services that may be obtained through other agencies.	1478 1479 1480
(E) As used in this section:	1481
(1) "Special disabled veteran" means a veteran who is entitled to, or who but for the receipt of military pay would be entitled to, compensation under any law administered by the department of veterans affairs for a disability rated at thirty per cent or more or a person who was discharged or released from active duty because of a service-connected disability.	1482 1483 1484 1485 1486 1487
(2) "Veteran of the Vietnam era" means an eligible veteran who served on active duty for a period of more than one hundred eighty days, any part of which occurred from August 5, 1964, through May 7, 1975, and was discharged or released therefrom with other than a dishonorable discharge or a person who was discharged or released from active duty for a service-connected disability if any part of the active duty was performed from August 5, 1964,	1488 1489 1490 1491 1492 1493 1494

through May 7, 1975. 1495

(3) "Disabled veteran" means a veteran who is entitled to, or 1496
who but for the receipt of military retirement pay would be 1497
entitled to compensation, under any law administered by the 1498
department of veterans affairs and who is not a special disabled 1499
veteran. 1500

(4) "Eligible veteran" means a person who served on active 1501
duty for more than one hundred eighty days and was discharged or 1502
released from active duty with other than a dishonorable discharge 1503
or a person who was discharged or released from active duty 1504
because of a service-connected disability. 1505

(5) "Other eligible person" means one of the following: 1506

(a) The spouse of any person who died of a service-connected 1507
disability; 1508

(b) The spouse of any member of the armed forces serving on 1509
active duty who at the time of the spouse's application for 1510
assistance under any program described in division (A) of this 1511
section is listed pursuant to the "Act of September 6, 1966," 80 1512
Stat. 629, 37 U.S.C.A. 556, and the regulations issued pursuant 1513
thereto, as having been in one or more of the following categories 1514
for a total of ninety or more days: 1515

(i) Missing in action; 1516

(ii) Captured in line of duty by a hostile force; 1517

(iii) Forcibly detained or interned in line of duty by a 1518
foreign government or power. 1519

(c) The spouse of any person who has a total disability 1520
permanent in nature resulting from a service-connected disability 1521
or the spouse of a veteran who died while such a disability was in 1522
existence. 1523

(6) "Veteran" means ~~either of the following:~~ 1524

~~(a)~~ Any person a veteran as defined in section 5903.01 of the Revised Code who was a member of the armed forces of the United States for a period of one hundred eighty days or more ~~or~~; a person who was discharged or released from active duty because of a service-connected disability;

~~(b)~~ A or a person who served as a member of the United States merchant marine and to whom either of the following applies:

~~(i)~~ (a) The person has an honorable report of separation from active duty military service, form DD214 or DD215; ~~or~~

~~(ii)~~ (b) The person served in the United States merchant marine between December 7, 1941, and December 31, 1946, and died on active duty while serving in a war zone during that period of service.

~~(7)~~ "Armed forces of the United States" means the army, air force, navy, marine corps, coast guard, and any other military service branch that is designated by congress as a part of the armed forces of the United States.

~~(8)~~ "Employment program" means a program which provides referral of individuals to employer job openings in the federal, state, or private sector.

~~(9)~~ (8) "Training program" means any program that upgrades the employability of qualified applicants.

~~(10)~~ (9) "Entitlement program" means any program that enlists specific criteria in determining eligibility, including but not limited to the existence in special segments of the general population of specific financial needs.

~~(11)~~ (10) "Targeted group" means a group of persons designated by federal law or regulations or by state law to receive special assistance under an employment and training program described in division (A) of this section.

~~(12) "United States merchant marine" includes the United States army transport service and the United States naval transport service.~~

Sec. 5903.12. (A) As used in this section: 1558

~~(1) "Continuing education" means continuing education required of a licensee by law and includes, but is not limited to, the continuing education required of licensees under sections 3737.881, 3781.10, 4701.11, 4715.141, 4715.25, 4717.09, 4723.24, 4725.16, 4725.51, 4730.14, 4730.49, 4731.281, 4734.25, 4735.141, 4736.11, 4741.16, 4741.19, 4751.07, 4755.63, 4757.33, 4759.06, 4761.06, and 4763.07 of the Revised Code.~~

~~(2) "License" means a license, certificate, permit, or other authorization issued or conferred by a licensing agency under which a licensee may engage in a profession, occupation, or occupational activity.~~

~~(3) "Licensee" means a person to whom all of the following apply:~~

~~(a) The person has been issued a license by a licensing agency.~~

~~(b) The person has been a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state, or a reserve component of the armed forces of the United States.~~

~~(c) The person has served on active duty, whether inside or outside the United States, for a period in excess of thirty-one days.~~

~~(4) "Licensing agency" means any state department, division, board, commission, agency, or other state governmental unit authorized by the Revised Code to issue a license.~~

~~(5) "Reporting period" means the period of time during which~~

a licensee must complete the number of hours of continuing
education required of the licensee by law.

(B) A licensee may submit an application to a licensing
agency, stating that the licensee requires an extension of the
current reporting period because the licensee has served on active
duty ~~as described in division (A)(3)(c) of this section~~ during the
current or a prior reporting period. The licensee shall submit
proper documentation certifying the active duty service and the
length of that active duty service. Upon receiving the application
and proper documentation, the licensing agency shall extend the
current reporting period by an amount of time equal to the total
number of months that the licensee spent on active duty during the
current reporting period. For purposes of this division, any
portion of a month served on active duty shall be considered one
full month.

Sec. 5903.121. A ~~"licensing agency," as defined in section
5903.12 of the Revised Code,~~ shall consider relevant education,
training, or service completed by a licensee as a member of the
armed forces ~~of the United States or reserve components thereof,~~
the Ohio national guard, the Ohio military reserve, the Ohio naval
militia, ~~or the national guard of any other state~~ in determining
whether a licensee has fulfilled required continuing education.

Sec. 5903.15. (A) As used in this section "employer" means
any person who has one or more employees. "Employer" includes an
agent of an employer but does not include the state or any agency
or instrumentality of the state, and any municipal corporation,
county, township, school district, or other political subdivision
or any agency or instrumentality thereof.

(B) An employer may adopt a policy to provide a preference
for employment decisions, including hiring, promotion, or

retention during a reduction in force, to a member, veteran, or 1615
the spouse or a surviving spouse of a member or veteran. 1616

(C) A preference provided under division (B) of this section 1617
is not a violation of any state or local equal employment 1618
opportunity law. The unlawful discriminatory practices as defined 1619
in section 4112.02 of the Revised Code do not make it unlawful for 1620
an employer implementing a policy under this section to obtain 1621
information about an applicant's military status for the purpose 1622
of determining if the applicant is eligible for the preference 1623
provided under this policy. 1624

(D) If an employer elects to adopt a policy described in 1625
division (B) of this section, the employer shall notify the Ohio 1626
department of job and family services. The department shall 1627
maintain a registry of employers that have a voluntary veterans' 1628
preference employment policy as described in this section, which 1629
shall be available to the public on the web site maintained by the 1630
department. 1631

Sec. 5907.01. (A) As used in this chapter: 1632

(1) "Armed forces of the United States" ~~has the same meaning~~ 1633
~~as in section 5903.11 of the Revised Code~~ means the army, air 1634
force, navy, marine corps, coast guard, and any other military 1635
service branch that is designated by congress as a part of the 1636
armed forces of the United States. 1637

(2) "Domiciliary" means a separate area within the Ohio 1638
veterans' home providing domiciliary care. 1639

(3) "Domiciliary care" means providing shelter, food, and 1640
necessary medical care on an ambulatory self-care basis to 1641
eligible veterans who do not need the nursing services provided in 1642
nursing homes. 1643

(4) "Nursing home" has the same meaning as in section 3721.01 1644

of the Revised Code. 1645

(5) "Veteran" has the same meaning as in section 5901.01 of 1646
the Revised Code. 1647

(B) There are hereby established the Ohio veterans' homes 1648
within the department of veterans services. The department shall 1649
maintain and operate state veterans' homes as administered under 1650
the state veterans' home programs defined in Title 38 of the 1651
United States Code. 1652

Sec. 5907.04. ~~Subject~~ As used in this section, "armed forces 1653
of the United States" means the army, air force, navy, marine 1654
corps, coast guard, and any other military service branch that is 1655
designated by congress as a part of the armed forces of the United 1656
States. 1657

Subject to the following paragraph, all veterans, who served 1658
during a period of conflict as determined by the United States 1659
department of veterans affairs or any person who is awarded either 1660
the armed forces expeditionary medal established by presidential 1661
executive order 10977 dated December 4, 1961, or the Vietnam 1662
service medal established by presidential executive order 11231 1663
dated July 8, 1965, who have been honorably discharged or 1664
separated under honorable conditions therefrom, or any discharged 1665
members of the Polish and Czechoslovakian armed forces who served 1666
in armed conflict with an enemy of the United States in World War 1667
II who have been citizens of the United States for at least ten 1668
years, provided that the above-mentioned persons have been 1669
citizens of this state for one year or more at the date of making 1670
application for admission, are disabled by disease, wounds, or 1671
otherwise, and are by reason of such disability incapable of 1672
earning their living, and all members of the Ohio national guard 1673
or naval militia who have lost an arm or leg, or their sight, or 1674
become permanently disabled from any cause, while in the line and 1675

discharge of duty, and are not able to support themselves, may be 1676
admitted to a veterans' home under such rules as the director of 1677
veterans services adopts. 1678

A veteran who served in the armed forces of the United States 1679
~~as defined in division (E)(7) of section 5903.11 of the Revised~~ 1680
~~Code~~ is eligible for admission to a veterans' home under the 1681
preceding paragraph only if the person has the characteristics 1682
defined in division (B)(1) of section 5901.01 of the Revised Code. 1683

Veterans' homes may reserve a bed during the temporary 1684
absence of a resident or patient from the home, including a 1685
nursing home within it, under conditions prescribed by the 1686
director, to include hospitalization for an acute condition, 1687
visits with relatives and friends, and participation in 1688
therapeutic programs outside the home. A home shall not reserve a 1689
bed for more than thirty days, except that absences for more than 1690
thirty days due to hospitalization may be authorized. 1691

Section 2. That existing sections 2913.01, 2913.02, 2913.43, 1692
2913.49, 2913.61, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 1693
5902.02, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, 1694
and 5907.04 of the Revised Code are hereby repealed. 1695

Section 3. The Director of Veterans Services shall implement 1696
divisions (BB) to (EE) of section 5902.02 of the Revised Code not 1697
later than December 31, 2014. 1698

Section 4. A licensing agency that is required to adopt rules 1699
under section 5903.04 of the Revised Code shall adopt initial 1700
rules not later than December 31, 2014. 1701

Section 5. State agencies that are required to apply for 1702
approval to the State Approving Agency at the Ohio Department of 1703
Veterans Services under section 5903.05 of the Revised Code shall 1704

do so initially not later than December 31, 2014. 1705

Section 6. Section 4731.36 of the Revised Code is presented 1706
in this act as a composite of the section as amended by both Sub. 1707
H.B. 251 and Sub. S.B. 141 of the 129th General Assembly. The 1708
General Assembly, applying the principle stated in division (B) of 1709
section 1.52 of the Revised Code that amendments are to be 1710
harmonized if reasonably capable of simultaneous operation, finds 1711
that the composite is the resulting version of the section in 1712
effect prior to the effective date of the section as presented in 1713
this act. 1714