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Representatives Dovilla, Landis

**Cosponsors: Representatives Johnson, Pillich, Barborak, Bishoff, Milkovich,
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Wachtmann, Winburn Speaker Batchelder
Senators Tavares, Brown, LaRose, Schaffer, Uecker**

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A B I L L

To amend sections 1306.20, 2913.01, 2913.02, 2913.43, 1
2913.49, 2913.61, 3333.28, 4729.12, 4729.13, 2
4729.15, 4731.36, 4743.04, 5902.02, 5903.03, 3
5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 4
5907.04 and to enact sections 2305.112, 2307.611, 5
3333.164, 3345.42, 3345.421, 3345.422, 3345.423, 6
3345.424, 5903.01, 5903.04, 5903.05, and 5903.15 7
of the Revised Code to require state institutions 8
of higher education to award credit for military 9
training, to increase penalties for certain theft, 10
deception, and identity fraud offenses when the 11

victim is an active duty service member, to allow 12
for a civil action for victims of identity fraud, 13
and to make other changes regarding state support 14
and benefits for veterans and their spouses. 15

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

Section 1. That sections 1306.20, 2913.01, 2913.02, 2913.43, 16
2913.49, 2913.61, 3333.28, 4729.12, 4729.13, 4729.15, 4731.36, 17
4743.04, 5902.02, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 18
5907.01, and 5907.04 be amended and sections 2305.112, 2307.611, 19
3333.164, 3345.42, 3345.421, 3345.422, 3345.423, 3345.424, 20
5903.01, 5903.04, 5903.05, and 5903.15 of the Revised Code be 21
enacted to read as follows: 22

Sec. 1306.20. (A) Subject to section 1306.11 of the Revised 23
Code, each state agency shall determine if, and the extent to 24
which, it will send and receive electronic records and electronic 25
signatures to and from other persons and otherwise create, 26
generate, communicate, store, process, use, and rely upon 27
electronic records and electronic signatures. 28

(B)(1) Subject to division (B)(2) of this section, a state 29
agency may waive a requirement in the Revised Code, other than a 30
requirement in sections 1306.01 to 1306.15 of the Revised Code, 31
that relates to any of the following: 32

(a) The method of posting or displaying records; 33

(b) The manner of sending, communicating, or transmitting 34
records; 35

(c) The manner of formatting records. 36

(2) A state agency may exercise its authority to waive a 37
requirement under division (B)(1) of this section only if the 38

following apply:	39
(a) The requirement relates to a matter over which the state agency has jurisdiction;	40 41
(b) The waiver is consistent with criteria set forth in rules adopted by the state agency. The criteria, to the extent reasonable under the circumstances, shall contain standards to facilitate the use of electronic commerce by persons under the jurisdiction of the state agency consistent with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.	42 43 44 45 46 47 48
(c) If a state agency creates, uses, receives, or retains electronic records, both of the following apply:	49 50
(1) Any rules adopted by a state agency relating to electronic records shall be consistent with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.	51 52 53 54
(2) Each state agency shall create, use, receive, and retain electronic records in accordance with section 149.40 of the Revised Code.	55 56 57
(d) If a state agency creates, uses, or receives electronic signatures, the state agency shall create, use, or receive the signatures in accordance with rules adopted by the department of administrative services pursuant to division (A) of section 1306.21 of the Revised Code.	58 59 60 61 62
(e)(1) To the extent a state agency retains an electronic record, the state agency may retain a record in a format that is different from the format in which the record was originally created, used, sent, or received only if it can be demonstrated that the alternative format used accurately and completely reflects the record as it was originally created, used, sent, or received.	63 64 65 66 67 68 69

(2) If a state agency in retaining any set of electronic records pursuant to division (E)(1) of this section alters the format of the records, the state agency shall create a certificate of authenticity for each set of records that is altered.

(3) The department of administrative services, in consultation with the state archivist, shall adopt rules in accordance with section 111.15 of the Revised Code that establish the methods for creating certificates of authenticity pursuant to division (E)(2) of this section.

(F) Whenever any rule of law requires or authorizes the filing of any information, notice, lien, or other document or record with any state agency, a filing made by an electronic record shall have the same force and effect as a filing made on paper in all cases where the state agency has authorized or agreed to such electronic filing and the filing is made in accordance with applicable rules or agreement.

(G) Nothing in sections 1306.01 to 1306.23 of the Revised Code shall be construed to require any state agency to use or permit the use of electronic records and electronic signatures.

(H)(1) Notwithstanding division (C)(1) or (D) of this section, any state agency that, prior to ~~the effective date of this section~~ September 14, 2000, used or permitted the use of electronic records or electronic signatures pursuant to laws enacted, rules adopted, or agency policies adopted before ~~the effective date of this section~~ September 14, 2000, may use or permit the use of electronic records or electronic signatures pursuant to those previously enacted laws, adopted rules, or adopted policies for a period of two years after ~~the effective date of this section~~ September 14, 2000.

(2) Subject to division (H)(3) of this section, after the two-year period described in division (H)(1) of this section has

concluded, all state agencies that use or permit the use of 101
electronic records or electronic signatures before ~~the effective~~ 102
~~date of this section~~ September 14, 2000, shall only use or permit 103
the use of electronic records or electronic signatures consistent 104
with rules adopted by the department of administrative services 105
pursuant to division (A) of section 1306.21 of the Revised Code. 106

(3) After the two-year period described in division (H)(1) of 107
this section has concluded, the department of administrative 108
services may permit a state agency to use electronic records or 109
electronic signatures that do not comply with division (H)(2) of 110
this section, if the state agency files a written request with the 111
department. 112

(I) For the purposes of this section, "state agency" means 113
every organized body, office, or agency established by the laws of 114
the state for the exercise of any function of state government, 115
but does not include the general assembly, any legislative agency, 116
the supreme court, the other courts of record in this state, ~~or~~ 117
any judicial agency, or any state university identified in section 118
3345.011 of the Revised Code, or the northeast Ohio medical 119
university. 120

(J) A state university identified in section 3345.011 of the 121
Revised Code, and the northeast Ohio medical university, that uses 122
or permits the use of electronic records or electronic signatures 123
on the effective date of this amendment, shall, within six months 124
after the effective date of this amendment, adopt rules in 125
accordance with section 111.15 of the Revised Code to provide for 126
the use or permission to use electronic records or electronic 127
signatures. A state university identified in section 3345.011 of 128
the Revised Code, and the northeast Ohio medical university, if 129
not using or permitting the use of electronic records or 130
electronic signatures on the effective date of this amendment, 131
shall adopt rules in accordance with section 111.15 of the Revised 132

Code when it elects to begin using or permitting the use of 133
electronic records or electronic signatures. 134

Sec. 2305.112. A civil action brought pursuant to division 135
(A) of section 2307.60 of the Revised Code when the person filing 136
the action is injured in person or property by a violation of 137
division (B), (D), or (E) of section 2913.49 of the Revised Code 138
shall be commenced within five years from the date on which the 139
identity of the offender was discovered or reasonably should have 140
been discovered. 141

Sec. 2307.611. A person who brings a civil action pursuant to 142
division (A) of section 2307.60 of the Revised Code to recover 143
damages from any person who caused injury to person or property by 144
a violation of division (B), (D), or (E) of section 2913.49 of the 145
Revised Code may recover damages up to five thousand dollars for 146
each violation or three times the amount of actual damages, 147
whichever is greater, and reasonable attorney's fees. 148

Sec. 2913.01. As used in this chapter, unless the context 149
requires that a term be given a different meaning: 150

(A) "Deception" means knowingly deceiving another or causing 151
another to be deceived by any false or misleading representation, 152
by withholding information, by preventing another from acquiring 153
information, or by any other conduct, act, or omission that 154
creates, confirms, or perpetuates a false impression in another, 155
including a false impression as to law, value, state of mind, or 156
other objective or subjective fact. 157

(B) "Defraud" means to knowingly obtain, by deception, some 158
benefit for oneself or another, or to knowingly cause, by 159
deception, some detriment to another. 160

(C) "Deprive" means to do any of the following: 161

(1) Withhold property of another permanently, or for a period 162
that appropriates a substantial portion of its value or use, or 163
with purpose to restore it only upon payment of a reward or other 164
consideration; 165

(2) Dispose of property so as to make it unlikely that the 166
owner will recover it; 167

(3) Accept, use, or appropriate money, property, or services, 168
with purpose not to give proper consideration in return for the 169
money, property, or services, and without reasonable justification 170
or excuse for not giving proper consideration. 171

(D) "Owner" means, unless the context requires a different 172
meaning, any person, other than the actor, who is the owner of, 173
who has possession or control of, or who has any license or 174
interest in property or services, even though the ownership, 175
possession, control, license, or interest is unlawful. 176

(E) "Services" include labor, personal services, professional 177
services, rental services, public utility services including 178
wireless service as defined in division (F)(1) of section 128.01 179
of the Revised Code, common carrier services, and food, drink, 180
transportation, entertainment, and cable television services and, 181
for purposes of section 2913.04 of the Revised Code, include cable 182
services as defined in that section. 183

(F) "Writing" means any computer software, document, letter, 184
memorandum, note, paper, plate, data, film, or other thing having 185
in or upon it any written, typewritten, or printed matter, and any 186
token, stamp, seal, credit card, badge, trademark, label, or other 187
symbol of value, right, privilege, license, or identification. 188

(G) "Forge" means to fabricate or create, in whole or in part 189
and by any means, any spurious writing, or to make, execute, 190
alter, complete, reproduce, or otherwise purport to authenticate 191
any writing, when the writing in fact is not authenticated by that 192

conduct.	193
(H) "Utter" means to issue, publish, transfer, use, put or send into circulation, deliver, or display.	194 195
(I) "Coin machine" means any mechanical or electronic device designed to do both of the following:	196 197
(1) Receive a coin, bill, or token made for that purpose;	198
(2) In return for the insertion or deposit of a coin, bill, or token, automatically dispense property, provide a service, or grant a license.	199 200 201
(J) "Slug" means an object that, by virtue of its size, shape, composition, or other quality, is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill, or token made for that purpose.	202 203 204 205
(K) "Theft offense" means any of the following:	206
(1) A violation of section 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or section 2913.51, 2915.05, or 2921.41 of the Revised Code;	207 208 209 210 211 212
(2) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any section listed in division (K)(1) of this section or a violation of section 2913.41, 2913.81, or 2915.06 of the Revised Code as it existed prior to July 1, 1996;	213 214 215 216 217
(3) An offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud;	218 219 220 221 222

(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (K)(1), (2), or (3) of this section.	223 224 225
(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.	226 227 228 229
(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.	230 231 232 233 234 235 236
(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.	237 238 239 240 241
(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.	242 243 244 245 246
(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.	247 248 249
(Q) "Computer software" means computer programs, procedures, and other documentation associated with the operation of a computer system.	250 251 252
(R) "Data" means a representation of information, knowledge,	253

facts, concepts, or instructions that are being or have been 254
prepared in a formalized manner and that are intended for use in a 255
computer, computer system, or computer network. For purposes of 256
section 2913.47 of the Revised Code, "data" has the additional 257
meaning set forth in division (A) of that section. 258

(S) "Cable television service" means any services provided by 259
or through the facilities of any cable television system or other 260
similar closed circuit coaxial cable communications system, or any 261
microwave or similar transmission service used in connection with 262
any cable television system or other similar closed circuit 263
coaxial cable communications system. 264

(T) "Gain access" means to approach, instruct, communicate 265
with, store data in, retrieve data from, or otherwise make use of 266
any resources of a computer, computer system, or computer network, 267
or any cable service or cable system both as defined in section 268
2913.04 of the Revised Code. 269

(U) "Credit card" includes, but is not limited to, a card, 270
code, device, or other means of access to a customer's account for 271
the purpose of obtaining money, property, labor, or services on 272
credit, or for initiating an electronic fund transfer at a 273
point-of-sale terminal, an automated teller machine, or a cash 274
dispensing machine. It also includes a county procurement card 275
issued under section 301.29 of the Revised Code. 276

(V) "Electronic fund transfer" has the same meaning as in 92 277
Stat. 3728, 15 U.S.C.A. 1693a, as amended. 278

(W) "Rented property" means personal property in which the 279
right of possession and use of the property is for a short and 280
possibly indeterminate term in return for consideration; the 281
rentee generally controls the duration of possession of the 282
property, within any applicable minimum or maximum term; and the 283
amount of consideration generally is determined by the duration of 284

possession of the property. 285

(X) "Telecommunication" means the origination, emission, 286
dissemination, transmission, or reception of data, images, 287
signals, sounds, or other intelligence or equivalence of 288
intelligence of any nature over any communications system by any 289
method, including, but not limited to, a fiber optic, electronic, 290
magnetic, optical, digital, or analog method. 291

(Y) "Telecommunications device" means any instrument, 292
equipment, machine, or other device that facilitates 293
telecommunication, including, but not limited to, a computer, 294
computer network, computer chip, computer circuit, scanner, 295
telephone, cellular telephone, pager, personal communications 296
device, transponder, receiver, radio, modem, or device that 297
enables the use of a modem. 298

(Z) "Telecommunications service" means the providing, 299
allowing, facilitating, or generating of any form of 300
telecommunication through the use of a telecommunications device 301
over a telecommunications system. 302

(AA) "Counterfeit telecommunications device" means a 303
telecommunications device that, alone or with another 304
telecommunications device, has been altered, constructed, 305
manufactured, or programmed to acquire, intercept, receive, or 306
otherwise facilitate the use of a telecommunications service or 307
information service without the authority or consent of the 308
provider of the telecommunications service or information service. 309
"Counterfeit telecommunications device" includes, but is not 310
limited to, a clone telephone, clone microchip, tumbler telephone, 311
or tumbler microchip; a wireless scanning device capable of 312
acquiring, intercepting, receiving, or otherwise facilitating the 313
use of telecommunications service or information service without 314
immediate detection; or a device, equipment, hardware, or software 315
designed for, or capable of, altering or changing the electronic 316

serial number in a wireless telephone. 317

(BB)(1) "Information service" means, subject to division 318
(BB)(2) of this section, the offering of a capability for 319
generating, acquiring, storing, transforming, processing, 320
retrieving, utilizing, or making available information via 321
telecommunications, including, but not limited to, electronic 322
publishing. 323

(2) "Information service" does not include any use of a 324
capability of a type described in division (BB)(1) of this section 325
for the management, control, or operation of a telecommunications 326
system or the management of a telecommunications service. 327

(CC) "Elderly person" means a person who is sixty-five years 328
of age or older. 329

(DD) "Disabled adult" means a person who is eighteen years of 330
age or older and has some impairment of body or mind that makes 331
the person unable to work at any substantially remunerative 332
employment that the person otherwise would be able to perform and 333
that will, with reasonable probability, continue for a period of 334
at least twelve months without any present indication of recovery 335
from the impairment, or who is eighteen years of age or older and 336
has been certified as permanently and totally disabled by an 337
agency of this state or the United States that has the function of 338
so classifying persons. 339

(EE) "Firearm" and "dangerous ordnance" have the same 340
meanings as in section 2923.11 of the Revised Code. 341

(FF) "Motor vehicle" has the same meaning as in section 342
4501.01 of the Revised Code. 343

(GG) "Dangerous drug" has the same meaning as in section 344
4729.01 of the Revised Code. 345

(HH) "Drug abuse offense" has the same meaning as in section 346

2925.01 of the Revised Code.	347
(II)(1) "Computer hacking" means any of the following:	348
(a) Gaining access or attempting to gain access to all or part of a computer, computer system, or a computer network without express or implied authorization with the intent to defraud or with intent to commit a crime;	349 350 351 352
(b) Misusing computer or network services including, but not limited to, mail transfer programs, file transfer programs, proxy servers, and web servers by performing functions not authorized by the owner of the computer, computer system, or computer network or other person authorized to give consent. As used in this division, "misuse of computer and network services" includes, but is not limited to, the unauthorized use of any of the following:	353 354 355 356 357 358 359
(i) Mail transfer programs to send mail to persons other than the authorized users of that computer or computer network;	360 361
(ii) File transfer program proxy services or proxy servers to access other computers, computer systems, or computer networks;	362 363
(iii) Web servers to redirect users to other web pages or web servers.	364 365
(c)(i) Subject to division (II)(1)(c)(ii) of this section, using a group of computer programs commonly known as "port scanners" or "probes" to intentionally access any computer, computer system, or computer network without the permission of the owner of the computer, computer system, or computer network or other person authorized to give consent. The group of computer programs referred to in this division includes, but is not limited to, those computer programs that use a computer network to access a computer, computer system, or another computer network to determine any of the following: the presence or types of computers or computer systems on a network; the computer network's facilities and capabilities; the availability of computer or	366 367 368 369 370 371 372 373 374 375 376 377

network services; the presence or versions of computer software 378
including, but not limited to, operating systems, computer 379
services, or computer contaminants; the presence of a known 380
computer software deficiency that can be used to gain unauthorized 381
access to a computer, computer system, or computer network; or any 382
other information about a computer, computer system, or computer 383
network not necessary for the normal and lawful operation of the 384
computer initiating the access. 385

(ii) The group of computer programs referred to in division 386
(II)(1)(c)(i) of this section does not include standard computer 387
software used for the normal operation, administration, 388
management, and test of a computer, computer system, or computer 389
network including, but not limited to, domain name services, mail 390
transfer services, and other operating system services, computer 391
programs commonly called "ping," "tcpdump," and "traceroute" and 392
other network monitoring and management computer software, and 393
computer programs commonly known as "nslookup" and "whois" and 394
other systems administration computer software. 395

(d) The intentional use of a computer, computer system, or a 396
computer network in a manner that exceeds any right or permission 397
granted by the owner of the computer, computer system, or computer 398
network or other person authorized to give consent. 399

(2) "Computer hacking" does not include the introduction of a 400
computer contaminant, as defined in section 2909.01 of the Revised 401
Code, into a computer, computer system, computer program, or 402
computer network. 403

(JJ) "Police dog or horse" has the same meaning as in section 404
2921.321 of the Revised Code. 405

(KK) "Anhydrous ammonia" is a compound formed by the 406
combination of two gaseous elements, nitrogen and hydrogen, in the 407
manner described in this division. Anhydrous ammonia is one part 408

nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia by 409
weight is fourteen parts nitrogen to three parts hydrogen, which 410
is approximately eighty-two per cent nitrogen to eighteen per cent 411
hydrogen. 412

(LL) "Assistance dog" has the same meaning as in section 413
955.011 of the Revised Code. 414

(MM) "Federally licensed firearms dealer" has the same 415
meaning as in section 5502.63 of the Revised Code. 416

(NN) "Active duty service member" means any member of the 417
armed forces of the United States performing active duty under 418
title 10 of the United States Code. 419

Sec. 2913.02. (A) No person, with purpose to deprive the 420
owner of property or services, shall knowingly obtain or exert 421
control over either the property or services in any of the 422
following ways: 423

(1) Without the consent of the owner or person authorized to 424
give consent; 425

(2) Beyond the scope of the express or implied consent of the 426
owner or person authorized to give consent; 427

(3) By deception; 428

(4) By threat; 429

(5) By intimidation. 430

(B)(1) Whoever violates this section is guilty of theft. 431

(2) Except as otherwise provided in this division or division 432
(B)(3), (4), (5), (6), (7), (8), or (9) of this section, a 433
violation of this section is petty theft, a misdemeanor of the 434
first degree. If the value of the property or services stolen is 435
one thousand dollars or more and is less than seven thousand five 436
hundred dollars or if the property stolen is any of the property 437

listed in section 2913.71 of the Revised Code, a violation of this 438
section is theft, a felony of the fifth degree. If the value of 439
the property or services stolen is seven thousand five hundred 440
dollars or more and is less than one hundred fifty thousand 441
dollars, a violation of this section is grand theft, a felony of 442
the fourth degree. If the value of the property or services stolen 443
is one hundred fifty thousand dollars or more and is less than 444
seven hundred fifty thousand dollars, a violation of this section 445
is aggravated theft, a felony of the third degree. If the value of 446
the property or services is seven hundred fifty thousand dollars 447
or more and is less than one million five hundred thousand 448
dollars, a violation of this section is aggravated theft, a felony 449
of the second degree. If the value of the property or services 450
stolen is one million five hundred thousand dollars or more, a 451
violation of this section is aggravated theft of one million five 452
hundred thousand dollars or more, a felony of the first degree. 453

(3) Except as otherwise provided in division (B)(4), (5), 454
(6), (7), (8), or (9) of this section, if the victim of the 455
offense is an elderly person ~~or~~, disabled adult, active duty 456
service member, or spouse of an active duty service member, a 457
violation of this section is theft from ~~an elderly a person or~~ 458
~~disabled adult in a protected class,~~ and division (B)(3) of this 459
section applies. Except as otherwise provided in this division, 460
theft from ~~an elderly a person or disabled adult in a protected~~ 461
class is a felony of the fifth degree. If the value of the 462
property or services stolen is one thousand dollars or more and is 463
less than seven thousand five hundred dollars, theft from ~~an~~ 464
~~elderly a person or disabled adult in a protected class~~ is a 465
felony of the fourth degree. If the value of the property or 466
services stolen is seven thousand five hundred dollars or more and 467
is less than thirty-seven thousand five hundred dollars, theft 468
from ~~an elderly a person or disabled adult in a protected class~~ is 469
a felony of the third degree. If the value of the property or 470

services stolen is thirty-seven thousand five hundred dollars or 471
more and is less than one hundred fifty thousand dollars, theft 472
from ~~an elderly a person or disabled adult~~ in a protected class is 473
a felony of the second degree. If the value of the property or 474
services stolen is one hundred fifty thousand dollars or more, 475
theft from ~~an elderly a person or disabled adult~~ in a protected 476
class is a felony of the first degree. 477

(4) If the property stolen is a firearm or dangerous 478
ordnance, a violation of this section is grand theft. Except as 479
otherwise provided in this division, grand theft when the property 480
stolen is a firearm or dangerous ordnance is a felony of the third 481
degree, and there is a presumption in favor of the court imposing 482
a prison term for the offense. If the firearm or dangerous 483
ordnance was stolen from a federally licensed firearms dealer, 484
grand theft when the property stolen is a firearm or dangerous 485
ordnance is a felony of the first degree. The offender shall serve 486
a prison term imposed for grand theft when the property stolen is 487
a firearm or dangerous ordnance consecutively to any other prison 488
term or mandatory prison term previously or subsequently imposed 489
upon the offender. 490

(5) If the property stolen is a motor vehicle, a violation of 491
this section is grand theft of a motor vehicle, a felony of the 492
fourth degree. 493

(6) If the property stolen is any dangerous drug, a violation 494
of this section is theft of drugs, a felony of the fourth degree, 495
or, if the offender previously has been convicted of a felony drug 496
abuse offense, a felony of the third degree. 497

(7) If the property stolen is a police dog or horse or an 498
assistance dog and the offender knows or should know that the 499
property stolen is a police dog or horse or an assistance dog, a 500
violation of this section is theft of a police dog or horse or an 501
assistance dog, a felony of the third degree. 502

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

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

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

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

(b) If the offender's driver's license, probationary driver's license, commercial driver's license, temporary instruction permit, or nonresident operating privilege has previously been suspended pursuant to division (B)(10)(a) of this section, impose a class seven suspension of the offender's license, permit, or privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code, provided that the suspension shall be

for at least six months. 535

(c) The court, in lieu of suspending the offender's driver's 536
or commercial driver's license, probationary driver's license, 537
temporary instruction permit, or nonresident operating privilege 538
pursuant to division (B)(10)(a) or (b) of this section, instead 539
may require the offender to perform community service for a number 540
of hours determined by the court. 541

(11) In addition to the penalties described in division 542
(B)(2) of this section, if the offender committed the violation by 543
stealing rented property or rental services, the court may order 544
that the offender make restitution pursuant to section 2929.18 or 545
2929.28 of the Revised Code. Restitution may include, but is not 546
limited to, the cost of repairing or replacing the stolen 547
property, or the cost of repairing the stolen property and any 548
loss of revenue resulting from deprivation of the property due to 549
theft of rental services that is less than or equal to the actual 550
value of the property at the time it was rented. Evidence of 551
intent to commit theft of rented property or rental services shall 552
be determined pursuant to the provisions of section 2913.72 of the 553
Revised Code. 554

(C) The sentencing court that suspends an offender's license, 555
permit, or nonresident operating privilege under division (B)(10) 556
of this section may grant the offender limited driving privileges 557
during the period of the suspension in accordance with Chapter 558
4510. of the Revised Code. 559

Sec. 2913.43. (A) No person, by deception, shall cause 560
another to execute any writing that disposes of or encumbers 561
property, or by which a pecuniary obligation is incurred. 562

(B)(1) Whoever violates this section is guilty of securing 563
writings by deception. 564

(2) Except as otherwise provided in this division or division 565
(B)(3) of this section, securing writings by deception is a 566
misdemeanor of the first degree. If the value of the property or 567
the obligation involved is one thousand dollars or more and less 568
than seven thousand five hundred dollars, securing writings by 569
deception is a felony of the fifth degree. If the value of the 570
property or the obligation involved is seven thousand five hundred 571
dollars or more and is less than one hundred fifty thousand 572
dollars, securing writings by deception is a felony of the fourth 573
degree. If the value of the property or the obligation involved is 574
one hundred fifty thousand dollars or more, securing writings by 575
deception is a felony of the third degree. 576

(3) If the victim of the offense is an elderly person ~~or~~ 577
disabled adult, active duty service member, or spouse of an active 578
duty service member, division (B)(3) of this section applies. 579
Except as otherwise provided in division (B)(3) of this section, 580
securing writings by deception is a felony of the fifth degree. If 581
the value of the property or obligation involved is one thousand 582
dollars or more and is less than seven thousand five hundred 583
dollars, securing writings by deception is a felony of the fourth 584
degree. If the value of the property or obligation involved is 585
seven thousand five hundred dollars or more and is less than 586
thirty-seven thousand five hundred dollars, securing writings by 587
deception is a felony of the third degree. If the value of the 588
property or obligation involved is thirty-seven thousand five 589
hundred dollars or more, securing writings by deception is a 590
felony of the second degree. 591

Sec. 2913.49. (A) As used in this section, "personal 592
identifying information" includes, but is not limited to, the 593
following: the name, address, telephone number, driver's license, 594
driver's license number, commercial driver's license, commercial 595
driver's license number, state identification card, state 596

identification card number, social security card, social security 597
number, birth certificate, place of employment, employee 598
identification number, mother's maiden name, demand deposit 599
account number, savings account number, money market account 600
number, mutual fund account number, other financial account 601
number, personal identification number, password, or credit card 602
number of a living or dead individual. 603

(B) No person, without the express or implied consent of the 604
other person, shall use, obtain, or possess any personal 605
identifying information of another person with intent to do either 606
of the following: 607

(1) Hold the person out to be the other person; 608

(2) Represent the other person's personal identifying 609
information as the person's own personal identifying information. 610

(C) No person shall create, obtain, possess, or use the 611
personal identifying information of any person with the intent to 612
aid or abet another person in violating division (B) of this 613
section. 614

(D) No person, with intent to defraud, shall permit another 615
person to use the person's own personal identifying information. 616

(E) No person who is permitted to use another person's 617
personal identifying information as described in division (D) of 618
this section shall use, obtain, or possess the other person's 619
personal identifying information with intent to defraud any person 620
by doing any act identified in division (B)(1) or (2) of this 621
section. 622

(F)(1) It is an affirmative defense to a charge under 623
division (B) of this section that the person using the personal 624
identifying information is acting in accordance with a legally 625
recognized guardianship or conservatorship or as a trustee or 626
fiduciary. 627

(2) It is an affirmative defense to a charge under division 628
(B), (C), (D), or (E) of this section that either of the following 629
applies: 630

(a) The person or entity using, obtaining, possessing, or 631
creating the personal identifying information or permitting it to 632
be used is a law enforcement agency, authorized fraud personnel, 633
or a representative of or attorney for a law enforcement agency or 634
authorized fraud personnel and is using, obtaining, possessing, or 635
creating the personal identifying information or permitting it to 636
be used, with prior consent given as specified in this division, 637
in a bona fide investigation, an information security evaluation, 638
a pretext calling evaluation, or a similar matter. The prior 639
consent required under this division shall be given by the person 640
whose personal identifying information is being used, obtained, 641
possessed, or created or is being permitted to be used or, if the 642
person whose personal identifying information is being used, 643
obtained, possessed, or created or is being permitted to be used 644
is deceased, by that deceased person's executor, or a member of 645
that deceased person's family, or that deceased person's attorney. 646
The prior consent required under this division may be given orally 647
or in writing by the person whose personal identifying information 648
is being used, obtained, possessed, or created or is being 649
permitted to be used or that person's executor, or family member, 650
or attorney. 651

(b) The personal identifying information was obtained, 652
possessed, used, created, or permitted to be used for a lawful 653
purpose, provided that division (F)(2)(b) of this section does not 654
apply if the person or entity using, obtaining, possessing, or 655
creating the personal identifying information or permitting it to 656
be used is a law enforcement agency, authorized fraud personnel, 657
or a representative of or attorney for a law enforcement agency or 658
authorized fraud personnel that is using, obtaining, possessing, 659

or creating the personal identifying information or permitting it 660
to be used in an investigation, an information security 661
evaluation, a pretext calling evaluation, or similar matter. 662

(G) It is not a defense to a charge under this section that 663
the person whose personal identifying information was obtained, 664
possessed, used, created, or permitted to be used was deceased at 665
the time of the offense. 666

(H)(1) If an offender commits a violation of division (B), 667
(D), or (E) of this section and the violation occurs as part of a 668
course of conduct involving other violations of division (B), (D), 669
or (E) of this section or violations of, attempts to violate, 670
conspiracies to violate, or complicity in violations of division 671
(C) of this section or section 2913.02, 2913.04, 2913.11, 2913.21, 672
2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, the 673
court, in determining the degree of the offense pursuant to 674
division (I) of this section, may aggregate all credit, property, 675
or services obtained or sought to be obtained by the offender and 676
all debts or other legal obligations avoided or sought to be 677
avoided by the offender in the violations involved in that course 678
of conduct. The course of conduct may involve one victim or more 679
than one victim. 680

(2) If an offender commits a violation of division (C) of 681
this section and the violation occurs as part of a course of 682
conduct involving other violations of division (C) of this section 683
or violations of, attempts to violate, conspiracies to violate, or 684
complicity in violations of division (B), (D), or (E) of this 685
section or section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 686
2913.42, 2913.43, or 2921.13 of the Revised Code, the court, in 687
determining the degree of the offense pursuant to division (I) of 688
this section, may aggregate all credit, property, or services 689
obtained or sought to be obtained by the person aided or abetted 690
and all debts or other legal obligations avoided or sought to be 691

avoided by the person aided or abetted in the violations involved 692
in that course of conduct. The course of conduct may involve one 693
victim or more than one victim. 694

(I)(1) Whoever violates this section is guilty of identity 695
fraud. 696

(2) Except as otherwise provided in this division or division 697
(I)(3) of this section, identity fraud is a felony of the fifth 698
degree. If the value of the credit, property, services, debt, or 699
other legal obligation involved in the violation or course of 700
conduct is one thousand dollars or more and is less than seven 701
thousand five hundred dollars, except as otherwise provided in 702
division (I)(3) of this section, identity fraud is a felony of the 703
fourth degree. If the value of the credit, property, services, 704
debt, or other legal obligation involved in the violation or 705
course of conduct is seven thousand five hundred dollars or more 706
and is less than one hundred fifty thousand dollars, except as 707
otherwise provided in division (I)(3) of this section, identity 708
fraud is a felony of the third degree. If the value of the credit, 709
property, services, debt, or other legal obligation involved in 710
the violation or course of conduct is one hundred fifty thousand 711
dollars or more, except as otherwise provided in division (I)(3) 712
of this section, identity fraud is a felony of the second degree. 713

(3) If the victim of the offense is an elderly person ~~or~~, 714
disabled adult, active duty service member, or spouse of an active 715
duty service member, a violation of this section is identity fraud 716
against ~~an elderly a person or disabled adult in a protected~~ 717
class. Except as otherwise provided in this division, identity 718
fraud against ~~an elderly a person or disabled adult in a protected~~ 719
class is a felony of the ~~fifth~~ fourth degree. If the value of the 720
credit, property, services, debt, or other legal obligation 721
involved in the violation or course of conduct is one thousand 722
dollars or more and is less than seven thousand five hundred 723

dollars, identity fraud against ~~an elderly~~ a person ~~or disabled~~ 724
~~adult~~ in a protected class is a felony of the third degree. If the 725
value of the credit, property, services, debt, or other legal 726
obligation involved in the violation or course of conduct is seven 727
thousand five hundred dollars or more and is less than one hundred 728
fifty thousand dollars, identity fraud against ~~an elderly~~ a person 729
~~or disabled~~ ~~adult~~ in a protected class is a felony of the second 730
degree. If the value of the credit, property, services, debt, or 731
other legal obligation involved in the violation or course of 732
conduct is one hundred fifty thousand dollars or more, identity 733
fraud against ~~an elderly~~ a person ~~or disabled~~ ~~adult~~ in a protected 734
class is a felony of the first degree. 735

(J) In addition to the penalties described in division (I) of 736
this section, anyone injured in person or property by a violation 737
of division (B), (D), or (E) of this section who is the owner of 738
the identifying information involved in that violation has a civil 739
action against the offender pursuant to section 2307.60 of the 740
Revised Code. That person may also bring a civil action to enjoin 741
or restrain future acts that would constitute a violation of 742
division (B), (D), or (E) of this section. 743

Sec. 2913.61. (A) When a person is charged with a theft 744
offense, or with a violation of division (A)(1) of section 1716.14 745
of the Revised Code involving a victim who is an elderly person or 746
disabled adult that involves property or services valued at one 747
thousand dollars or more, property or services valued at one 748
thousand dollars or more and less than seven thousand five hundred 749
dollars, property or services valued at one thousand five hundred 750
dollars or more and less than seven thousand five hundred dollars, 751
property or services valued at seven thousand five hundred dollars 752
or more and less than thirty-seven thousand five hundred dollars, 753
property or services valued at seven thousand five hundred dollars 754
or more and less than one hundred fifty thousand dollars, property 755

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or services valued at thirty-seven thousand five hundred dollars 756
or more and less than one hundred fifty thousand dollars, property 757
or services valued at thirty-seven thousand five hundred dollars 758
or more, property or services valued at one hundred fifty thousand 759
dollars or more, property or services valued at one hundred fifty 760
thousand dollars or more and less than seven hundred fifty 761
thousand dollars, property or services valued at seven hundred 762
fifty thousand dollars or more and less than one million five 763
hundred thousand dollars, or property or services valued at one 764
million five hundred thousand dollars or more, the jury or court 765
trying the accused shall determine the value of the property or 766
services as of the time of the offense and, if a guilty verdict is 767
returned, shall return the finding of value as part of the 768
verdict. In any case in which the jury or court determines that 769
the value of the property or services at the time of the offense 770
was one thousand dollars or more, it is unnecessary to find and 771
return the exact value, and it is sufficient if the finding and 772
return is to the effect that the value of the property or services 773
involved was one thousand dollars or more, was one thousand 774
dollars or more and less than seven thousand five hundred dollars, 775
was one thousand five hundred dollars or more and less than seven 776
thousand five hundred dollars, was seven thousand five hundred 777
dollars or more and less than thirty-seven thousand five hundred 778
dollars, ~~was seven thousand five hundred dollars or more and less~~ 779
~~than thirty-seven thousand five hundred dollars,~~ was seven 780
thousand five hundred dollars or more and less than one hundred 781
fifty thousand dollars, was thirty-seven thousand five hundred 782
dollars or more and less than one hundred fifty thousand dollars, 783
was thirty-seven thousand five hundred dollars or more ~~and less~~ 784
~~than one hundred fifty thousand dollars,~~ was one hundred fifty 785
thousand dollars or more, was one hundred fifty thousand dollars 786
or more and less than seven hundred fifty thousand dollars, was 787
seven hundred fifty thousand dollars or more and less than one 788

million five hundred thousand dollars, or was one million five 789
hundred thousand dollars or more, whichever is relevant regarding 790
the offense. 791

(B) If more than one item of property or services is involved 792
in a theft offense or in a violation of division (A)(1) of section 793
1716.14 of the Revised Code involving a victim who is an elderly 794
person or disabled adult, the value of the property or services 795
involved for the purpose of determining the value as required by 796
division (A) of this section is the aggregate value of all 797
property or services involved in the offense. 798

(C)(1) When a series of offenses under section 2913.02 of the 799
Revised Code, or a series of violations of, attempts to commit a 800
violation of, conspiracies to violate, or complicity in violations 801
of division (A)(1) of section 1716.14, section 2913.02, 2913.03, 802
or 2913.04, division (B)(1) or (2) of section 2913.21, or section 803
2913.31 or 2913.43 of the Revised Code involving a victim who is 804
an elderly person or disabled adult, is committed by the offender 805
in the offender's same employment, capacity, or relationship to 806
another, all of those offenses shall be tried as a single offense. 807
When a series of offenses under section 2913.02 of the Revised 808
Code, or a series of violations of, attempts to commit a violation 809
of, conspiracies to violate, or complicity in violations of 810
section 2913.02 or 2913.43 of the Revised Code involving a victim 811
who is an active duty service member or spouse of an active duty 812
service member is committed by the offender in the offender's same 813
employment, capacity, or relationship to another, all of those 814
offenses shall be tried as a single offense. The value of the 815
property or services involved in the series of offenses for the 816
purpose of determining the value as required by division (A) of 817
this section is the aggregate value of all property and services 818
involved in all offenses in the series. 819

(2) If an offender commits a series of offenses under section 820

2913.02 of the Revised Code that involves a common course of 821
conduct to defraud multiple victims, all of the offenses may be 822
tried as a single offense. If an offender is being tried for the 823
commission of a series of violations of, attempts to commit a 824
violation of, conspiracies to violate, or complicity in violations 825
of division (A)(1) of section 1716.14, section 2913.02, 2913.03, 826
or 2913.04, division (B)(1) or (2) of section 2913.21, or section 827
2913.31 or 2913.43 of the Revised Code, whether committed against 828
one victim or more than one victim, involving a victim who is an 829
elderly person or disabled adult, pursuant to a scheme or course 830
of conduct, all of those offenses may be tried as a single 831
offense. If an offender is being tried for the commission of a 832
series of violations of, attempts to commit a violation of, 833
conspiracies to violate, or complicity in violations of section 834
2913.02 or 2913.43 of the Revised Code, whether committed against 835
one victim or more than one victim, involving a victim who is an 836
active duty service member or spouse of an active duty service 837
member pursuant to a scheme or course of conduct, all of those 838
offenses may be tried as a single offense. If the offenses are 839
tried as a single offense, the value of the property or services 840
involved for the purpose of determining the value as required by 841
division (A) of this section is the aggregate value of all 842
property and services involved in all of the offenses in the 843
course of conduct. 844

(3) When a series of two or more offenses under section 845
2913.40, 2913.48, or 2921.41 of the Revised Code is committed by 846
the offender in the offender's same employment, capacity, or 847
relationship to another, all of those offenses may be tried as a 848
single offense. If the offenses are tried as a single offense, the 849
value of the property or services involved for the purpose of 850
determining the value as required by division (A) of this section 851
is the aggregate value of all property and services involved in 852
all of the offenses in the series of two or more offenses. 853

(4) In prosecuting a single offense under division (C)(1), 854
(2), or (3) of this section, it is not necessary to separately 855
allege and prove each offense in the series. Rather, it is 856
sufficient to allege and prove that the offender, within a given 857
span of time, committed one or more theft offenses or violations 858
of section 2913.40, 2913.48, or 2921.41 of the Revised Code in the 859
offender's same employment, capacity, or relationship to another 860
as described in division (C)(1) or (3) of this section, or 861
committed one or more theft offenses that involve a common course 862
of conduct to defraud multiple victims or a scheme or course of 863
conduct as described in division (C)(2) of this section. While it 864
is not necessary to separately allege and prove each offense in 865
the series in order to prosecute a single offense under division 866
(C)(1), (2), or (3) of this section, it remains necessary in 867
prosecuting them as a single offense to prove the aggregate value 868
of the property or services in order to meet the requisite 869
statutory offense level sought by the prosecution. 870

(D) The following criteria shall be used in determining the 871
value of property or services involved in a theft offense: 872

(1) The value of an heirloom, memento, collector's item, 873
antique, museum piece, manuscript, document, record, or other 874
thing that has intrinsic worth to its owner and that either is 875
irreplaceable or is replaceable only on the expenditure of 876
substantial time, effort, or money, is the amount that would 877
compensate the owner for its loss. 878

(2) The value of personal effects and household goods, and of 879
materials, supplies, equipment, and fixtures used in the 880
profession, business, trade, occupation, or avocation of its 881
owner, which property is not covered under division (D)(1) of this 882
section and which retains substantial utility for its purpose 883
regardless of its age or condition, is the cost of replacing the 884
property with new property of like kind and quality. 885

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

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

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

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

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

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

(5) When the property involved is a warehouse receipt, bill of lading, pawn ticket, claim check, or other instrument entitling the holder or bearer to receive property, the face value or, if there is no face value, the value of the property covered by the

instrument less any payment necessary to receive the property is 917
prima-facie evidence of the value of the instrument. 918

(6) When the property involved is a ticket of admission, 919
ticket for transportation, coupon, token, or other instrument 920
entitling the holder or bearer to receive property or services, 921
the face value or, if there is no face value, the value of the 922
property or services that may be received by the instrument is 923
prima-facie evidence of the value of the instrument. 924

(7) When the services involved are gas, electricity, water, 925
telephone, transportation, shipping, or other services for which 926
the rate is established by law, the duly established rate is 927
prima-facie evidence of the value of the services. 928

(8) When the services involved are services for which the 929
rate is not established by law, and the offender has been notified 930
prior to the offense of the rate for the services, either in 931
writing, orally, or by posting in a manner reasonably calculated 932
to come to the attention of potential offenders, the rate 933
contained in the notice is prima-facie evidence of the value of 934
the services. 935

Sec. 3333.164. (A) As used in this section, "state 936
institution of higher education" has the same meaning as in 937
section 3345.011 of the Revised Code. 938

(B) Not later than December 31, 2014, the chancellor of the 939
Ohio board of regents shall do all of the following with regard to 940
the awarding of college credit for military training, experience, 941
and coursework: 942

(1) Develop a set of standards and procedures for state 943
institutions of higher education to utilize in the granting of 944
college credit for military training, experience, and coursework; 945

(2) Create a military articulation and transfer assurance 946

guide for college credit that is earned through military training, experience, and coursework. The chancellor shall use the current articulation and transfer policy adopted pursuant to section 3333.16 of the Revised Code as a model in developing this guide.

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

(a) Standardized resources that address frequently asked questions regarding the awarding of such credit and related issues;

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

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

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

Sec. 3333.28. (A) The chancellor of the Ohio board of regents shall establish the nurse education assistance program, the purpose of which shall be to make loans to students enrolled in prelicensure nurse education programs at institutions approved by the board of nursing under section 4723.06 of the Revised Code and

postlicensure nurse education programs approved by the chancellor 977
under section 3333.04 of the Revised Code or offered by an 978
institution holding a certificate of authorization issued under 979
Chapter 1713. of the Revised Code. The board of nursing shall 980
assist the chancellor in administering the program. 981

(B) There is hereby created in the state treasury the nurse 982
education assistance fund, which shall consist of all money 983
transferred to it pursuant to section 4743.05 of the Revised Code. 984
The fund shall be used by the chancellor for loans made under 985
division (A) of this section and for expenses of administering the 986
loan program. 987

(C) Between July 1, 2005, and January 1, 2012, the chancellor 988
shall distribute money in the nurse education assistance fund in 989
the following manner: 990

(1)(a) Fifty per cent of available funds shall be awarded as 991
loans to registered nurses enrolled in postlicensure nurse 992
education programs described in division (A) of this section. To 993
be eligible for a loan, the applicant shall provide the chancellor 994
with a letter of intent to practice as a faculty member at a 995
prelicensure or postlicensure program for nursing in this state 996
upon completion of the applicant's academic program. 997

(b) If the borrower of a loan under division (C)(1)(a) of 998
this section secures employment as a faculty member of an approved 999
nursing education program in this state within six months 1000
following graduation from an approved nurse education program, the 1001
chancellor may forgive the principal and interest of the student's 1002
loans received under division (C)(1)(a) of this section at a rate 1003
of twenty-five per cent per year, for a maximum of four years, for 1004
each year in which the borrower is so employed. A deferment of the 1005
service obligation, and other conditions regarding the forgiveness 1006
of loans may be granted as provided by the rules adopted under 1007
division (D)(7) of this section. 1008

(c) Loans awarded under division (C)(1)(a) of this section shall be awarded on the basis of the student's expected family contribution, with preference given to those applicants with the lowest expected family contribution. However, the chancellor may consider other factors the chancellor determines relevant in ranking the applications.

(d) Each loan awarded to a student under division (C)(1)(a) of this section shall be not less than five thousand dollars per year.

(2) Twenty-five per cent of available funds shall be awarded to students enrolled in prelicensure nurse education programs for registered nurses, as defined in section 4723.01 of the Revised Code.

(3) Twenty-five per cent of available funds shall be awarded to students enrolled in nurse education programs as determined by the chancellor, with preference given to programs aimed at increasing enrollment in an area of need.

After January 1, 2012, the chancellor shall determine the manner in which to distribute loans under this section.

(D) Subject to the requirements specified in division (C) of this section, the chancellor shall adopt rules in accordance with Chapter 119. of the Revised Code establishing:

(1) Eligibility criteria for receipt of a loan;

(2) Loan application procedures;

(3) The amounts in which loans may be made and the total amount that may be loaned to an individual;

(4) The total amount of loans that can be made each year;

(5) The percentage of the money in the fund that must remain in the fund at all times as a fund balance;

(6) Interest and principal repayment schedules;

(7) Conditions under which a portion of principal and interest obligations incurred by an individual under the program will be forgiven;

(8) Conditions under which all or a portion of the principal and interest obligations incurred by an individual who is deployed on active duty outside of the state or who is the spouse of a person deployed on active duty outside of the state may be deferred or forgiven.

(9) Ways that the program may be used to encourage individuals who are members of minority groups to enter the nursing profession;

~~(9)~~(10) Any other matters incidental to the operation of the program.

(E) The obligation to repay a portion of the principal and interest on a loan made under this section shall be forgiven if the recipient of the loan meets the criteria for forgiveness established by division (C)(1)(b) of this section, in the case of loans awarded under division (C)(1)(a) of this section, or by the chancellor under the rule adopted under division (D)(7) of this section, in the case of other loans awarded under this section.

(F) The obligation to repay all or a portion of the principal and interest on a loan made under this section may be deferred or forgiven if the recipient of the loan meets the criteria for deferment or forgiveness established by the chancellor under the rule adopted under division (D)(8) of this section.

(G) The receipt of a loan under this section shall not affect a student's eligibility for assistance, or the amount of that assistance, granted under section 3333.12, 3333.122, 3333.22, 3333.26, 5910.03, 5910.032, or 5919.34 of the Revised Code, but the rules of the chancellor may provide for taking assistance received under those sections into consideration when determining

a student's eligibility for a loan under this section. 1070

(H) As used in this section, "active duty" means active duty 1071
pursuant to an executive order of the president of the United 1072
States, an act of the congress of the United States, or section 1073
5919.29 or 5923.21 of the Revised Code. 1074

Sec. 3345.42. As used in sections 3345.421, 3345.422, 1075
3345.423, and 3345.424 of the Revised Code: 1076

"Service member" means a person who is serving in the armed 1077
forces of the United States. 1078

"Veteran" means any person who has completed service in the 1079
armed forces, including the national guard of any state or a 1080
reserve component of the armed forces, and who has been discharged 1081
under honorable conditions from the armed forces or who has been 1082
transferred to the reserve with evidence of satisfactory service. 1083

Sec. 3345.421. Not later than December 31, 2014, the board of 1084
trustees of each state institution of higher education, as defined 1085
in section 3345.011 of the Revised Code, shall do all of the 1086
following: 1087

(A) Designate at least one person employed by the institution 1088
to serve as the contact person for veterans and service member 1089
affairs. Such a person shall assist and advise veterans and 1090
service members on issues related to earning college credit for 1091
military training, experience, and coursework. 1092

(B) Adopt a policy regarding the support and assistance the 1093
institution will provide to veterans and service members. 1094

(C) Allow for the establishment of a student-led group on 1095
campus for student service members and veterans and encourage 1096
other service member- and veteran-friendly organizations. 1097

(D) Integrate existing career services to create and 1098

encourage meaningful collaborative relationships between student 1099
service members and veterans and alumni of the institution, that 1100
links student service members and veterans with prospective 1101
employers, and that provides student service members and veterans 1102
with social opportunities; and, if the institution has career 1103
services programs, encourage the responsible office to seek and 1104
promote partnership opportunities for internships and employment 1105
of student service members and veterans with state, local, 1106
national, and international employers. 1107

(E) Survey student service members and veterans to identify 1108
their needs and challenges and make the survey available to 1109
faculty and staff at the state institution of higher education. 1110
And periodically conduct follow-up surveys, at a frequency 1111
determined by the board, to gauge the institution's progress 1112
toward meeting identified needs and challenges. 1113

The chancellor of the Ohio board of regents shall provide 1114
guidance to state institutions of higher education in their 1115
compliance with this section, including the recommendation of 1116
standardized policies on support and assistance to veterans and 1117
service members. 1118

The person or persons designated under division (A) of this 1119
section shall not be a person currently designated by the 1120
institution as a veterans administration certifying official. 1121

Sec. 3345.422. Not later than December 31, 2014, and 1122
continuing thereafter, each state institution of higher education, 1123
as defined in section 3345.011 of the Revised Code, shall provide 1124
a student who is either a veteran or a service member with 1125
priority for course registration. 1126

Sec. 3345.423. Not later than December 31, 2014, the board of 1127
trustees or managing authority of each state institution of higher 1128

education, as defined in section 3345.011 of the Revised Code, 1129
shall establish an appeals procedure for students who are veterans 1130
or service members for resolving disputes regarding the awarding 1131
of college credit for military experience. 1132

Sec. 3345.424. On or after December 31, 2014, no state 1133
institution of higher education, as defined in section 3345.011 of 1134
the Revised Code, shall charge a student who is a veteran or a 1135
service member any fee for the evaluation of, transcription of, or 1136
application for college credit for military experience. 1137

Sec. 4729.12. An identification card issued by the state 1138
board of pharmacy under section 4729.08 of the Revised Code 1139
entitles the individual to whom it is issued to practice as a 1140
pharmacist or as a pharmacy intern in this state until the next 1141
annual renewal date. 1142

Identification cards shall be renewed annually on the 1143
fifteenth day of September, according to the standard renewal 1144
procedure of Chapter 4745. of the Revised Code. 1145

Each pharmacist and pharmacy intern shall carry the 1146
identification card or renewal identification card while engaged 1147
in the practice of pharmacy. The license shall be conspicuously 1148
exposed at the principal place where the pharmacist or pharmacy 1149
intern practices pharmacy. 1150

A pharmacist or pharmacy intern who desires to continue in 1151
the practice of pharmacy shall file with the board an application 1152
in such form and containing such data as the board may require for 1153
renewal of an identification card. An application filed under this 1154
section may not be withdrawn without the approval of the board. If 1155
the board finds that the applicant's card has not been revoked or 1156
placed under suspension and that the applicant has paid the 1157
renewal fee, has continued pharmacy education in accordance with 1158

the rules of the board, and is entitled to continue in the 1159
practice of pharmacy, the board shall issue a renewal 1160
identification card to the applicant. 1161

When an identification card has lapsed for more than sixty 1162
days but application is made within three years after the 1163
expiration of the card, the applicant shall be issued a renewal 1164
identification card without further examination if the applicant 1165
meets the requirements of this section and pays the fee designated 1166
under division ~~(F)~~(A)(5) of section 4729.15 of the Revised Code. 1167

Sec. 4729.13. A pharmacist who fails to make application to 1168
the state board of pharmacy for a renewal identification card 1169
within a period of three years from the expiration of the 1170
identification card must pass an examination for registration; 1171
except that a pharmacist whose registration has expired, but who 1172
has continually practiced pharmacy in another state under a 1173
license issued by the authority of that state, may obtain a 1174
renewal identification card upon payment to the executive director 1175
of the board the fee designated under division ~~(F)~~(A)(6) of 1176
section 4729.15 of the Revised Code. 1177

Sec. 4729.15. The (A) Except as provided in division (B) of 1178
this section, the state board of pharmacy shall charge the 1179
following fees: 1180

~~(A)~~(1) For applying for a license to practice as a 1181
pharmacist, an amount adequate to cover all rentals, compensation 1182
for proctors, and other expenses of the board related to 1183
examination except the expenses of procuring and grading the 1184
examination, which fee shall not be returned if the applicant 1185
fails to pass the examination; 1186

~~(B)~~(2) For the examination of an applicant for licensure as a 1187
pharmacist, an amount adequate to cover any expenses to the board 1188

of procuring and grading the examination or any part thereof, 1189
which fee shall not be returned if the applicant fails to pass the 1190
examination; 1191

~~(C)~~(3) For issuing a license and an identification card to an 1192
individual who passes the examination described in section 4729.07 1193
of the Revised Code, an amount that is adequate to cover the 1194
expense; 1195

~~(D)~~(4) For a pharmacist applying for renewal of an 1196
identification card within sixty days after the expiration date, 1197
ninety-seven dollars and fifty cents, which fee shall not be 1198
returned if the applicant fails to qualify for renewal; 1199

~~(E)~~(5) For a pharmacist applying for renewal of an 1200
identification card that has lapsed for more than sixty days, but 1201
for less than three years, one hundred thirty-five dollars, which 1202
fee shall not be returned if the applicant fails to qualify for 1203
renewal; 1204

~~(F)~~(6) For a pharmacist applying for renewal of an 1205
identification card that has lapsed for more than three years, 1206
three hundred thirty-seven dollars and fifty cents, which fee 1207
shall not be returned if the applicant fails to qualify for 1208
renewal; 1209

~~(G)~~(7) For a pharmacist applying for a license and 1210
identification card, on presentation of a pharmacist license 1211
granted by another state, three hundred thirty-seven dollars and 1212
fifty cents, which fee shall not be returned if the applicant 1213
fails to qualify for licensure. 1214

~~(H)~~(8) For a license and identification card to practice as a 1215
pharmacy intern, twenty-two dollars and fifty cents, which fee 1216
shall not be returned if the applicant fails to qualify for 1217
licensure; 1218

~~(I)~~(9) For the renewal of a pharmacy intern identification 1219

card, twenty-two dollars and fifty cents, which fee shall not be	1220
returned if the applicant fails to qualify for renewal;	1221
(J) <u>(10)</u> For issuing a replacement license to a pharmacist,	1222
twenty-two dollars and fifty cents;	1223
(K) <u>(11)</u> For issuing a replacement license to a pharmacy	1224
intern, seven dollars and fifty cents;	1225
(L) <u>(12)</u> For issuing a replacement identification card to a	1226
pharmacist, thirty-seven dollars and fifty cents, or pharmacy	1227
intern, seven dollars and fifty cents;	1228
(M) <u>(13)</u> For certifying licensure and grades for reciprocal	1229
licensure, ten dollars;	1230
(N) <u>(14)</u> For making copies of any application, affidavit, or	1231
other document filed in the state board of pharmacy office, an	1232
amount fixed by the board that is adequate to cover the expense,	1233
except that for copies required by federal or state agencies or	1234
law enforcement officers for official purposes, no charge need be	1235
made;	1236
(O) <u>(15)</u> For certifying and affixing the seal of the board, an	1237
amount fixed by the board that is adequate to cover the expense,	1238
except that for certifying and affixing the seal of the board to a	1239
document required by federal or state agencies or law enforcement	1240
officers for official purposes, no charge need be made;	1241
(P) <u>(16)</u> For each copy of a book or pamphlet that includes	1242
laws administered by the state board of pharmacy, rules adopted by	1243
the board, and chapters of the Revised Code with which the board	1244
is required to comply, an amount fixed by the board that is	1245
adequate to cover the expense of publishing and furnishing the	1246
book or pamphlet.	1247
<u>(B)(1) Subject to division (B)(2) of this section, the fees</u>	1248
<u>described in divisions (A)(1) to (13) of this section do not apply</u>	1249

to an individual who is on active duty in the armed forces of the 1250
United States or to an individual who served in the armed forces 1251
of the United States and presents a valid copy of the individual's 1252
DD-214 form or an equivalent document issued by the United States 1253
department of defense indicating that the individual is an 1254
honorably discharged veteran. 1255

(2) The state board of pharmacy may establish limits with 1256
respect to the individuals for whom fees are not applicable under 1257
division (B)(1) of this section. 1258

Sec. 4731.36. (A) Sections 4731.01 to 4731.47 of the Revised 1259
Code shall not prohibit service in case of emergency, domestic 1260
administration of family remedies, or provision of assistance to 1261
another individual who is self-administering drugs. 1262

Sections 4731.01 to 4731.47 of the Revised Code shall not 1263
apply to any of the following: 1264

(1) A commissioned medical officer of the armed forces of the 1265
United States ~~armed forces, as defined in section 5903.11 of the~~ 1266
~~Revised Code,~~ or an employee of the veterans administration of the 1267
United States or the United States public health service in the 1268
discharge of the officer's or employee's professional duties; 1269

(2) A dentist authorized under Chapter 4715. of the Revised 1270
Code to practice dentistry when engaged exclusively in the 1271
practice of dentistry or when administering anesthetics in the 1272
practice of dentistry; 1273

(3) A physician or surgeon in another state or territory who 1274
is a legal practitioner of medicine or surgery therein when 1275
providing consultation to an individual holding a certificate to 1276
practice issued under this chapter who is responsible for the 1277
examination, diagnosis, and treatment of the patient who is the 1278
subject of the consultation, if one of the following applies: 1279

(a) The physician or surgeon does not provide consultation in this state on a regular or frequent basis.	1280 1281
(b) The physician or surgeon provides the consultation without compensation of any kind, direct or indirect, for the consultation.	1282 1283 1284
(c) The consultation is part of the curriculum of a medical school or osteopathic medical school of this state or a program described in division (A)(2) of section 4731.291 of the Revised Code.	1285 1286 1287 1288
(4) A physician or surgeon in another state or territory who is a legal practitioner of medicine or surgery therein and provided services to a patient in that state or territory, when providing, not later than one year after the last date services were provided in another state or territory, follow-up services in person or through the use of any communication, including oral, written, or electronic communication, in this state to the patient for the same condition;	1289 1290 1291 1292 1293 1294 1295 1296
(5) A physician or surgeon residing on the border of a contiguous state and authorized under the laws thereof to practice medicine and surgery therein, whose practice extends within the limits of this state. Such practitioner shall not either in person or through the use of any communication, including oral, written, or electronic communication, open an office or appoint a place to see patients or receive calls within the limits of this state.	1297 1298 1299 1300 1301 1302 1303
(6) A board, committee, or corporation engaged in the conduct described in division (A) of section 2305.251 of the Revised Code when acting within the scope of the functions of the board, committee, or corporation;	1304 1305 1306 1307
(7) The conduct of an independent review organization accredited by the superintendent of insurance under section 3922.13 of the Revised Code for the purpose of external reviews	1308 1309 1310

conducted under Chapter 3922. of the Revised Code. 1311

As used in division (A)(1) of this section, "armed forces of 1312
the United States" means the army, air force, navy, marine corps, 1313
coast guard, and any other military service branch that is 1314
designated by congress as a part of the armed forces of the United 1315
States. 1316

(B)(1) Subject to division (B)(2) of this section, this 1317
chapter does not apply to a person who holds a current, 1318
unrestricted license to practice medicine and surgery or 1319
osteopathic medicine and surgery in another state when the person, 1320
pursuant to a written agreement with an athletic team located in 1321
the state in which the person holds the license, provides medical 1322
services to any of the following while the team is traveling to or 1323
from or participating in a sporting event in this state: 1324

(a) A member of the athletic team; 1325

(b) A member of the athletic team's coaching, communications, 1326
equipment, or sports medicine staff; 1327

(c) A member of a band or cheerleading squad accompanying the 1328
athletic team; 1329

(d) The athletic team's mascot. 1330

(2) In providing medical services pursuant to division (B)(1) 1331
of this section, the person shall not provide medical services at 1332
a health care facility, including a hospital, an ambulatory 1333
surgical facility, or any other facility in which medical care, 1334
diagnosis, or treatment is provided on an inpatient or outpatient 1335
basis. 1336

(C) Sections 4731.51 to 4731.61 of the Revised Code do not 1337
apply to any graduate of a podiatric school or college while 1338
performing those acts that may be prescribed by or incidental to 1339
participation in an accredited podiatric internship, residency, or 1340

fellowship program situated in this state approved by the state 1341
medical board. 1342

(D) This chapter does not apply to an oriental medicine 1343
practitioner or acupuncturist who complies with Chapter 4762. of 1344
the Revised Code. 1345

(E) This chapter does not prohibit the administration of 1346
drugs by any of the following: 1347

(1) An individual who is licensed or otherwise specifically 1348
authorized by the Revised Code to administer drugs; 1349

(2) An individual who is not licensed or otherwise 1350
specifically authorized by the Revised Code to administer drugs, 1351
but is acting pursuant to the rules for delegation of medical 1352
tasks adopted under section 4731.053 of the Revised Code; 1353

(3) An individual specifically authorized to administer drugs 1354
pursuant to a rule adopted under the Revised Code that is in 1355
effect on April 10, 2001, as long as the rule remains in effect, 1356
specifically authorizing an individual to administer drugs. 1357

(F) The exemptions described in divisions (A)(3), (4), and 1358
(5) of this section do not apply to a physician or surgeon whose 1359
certificate to practice issued under this chapter is under 1360
suspension or has been revoked or permanently revoked by action of 1361
the state medical board. 1362

Sec. 4743.04. (A) The renewal of a license or other 1363
authorization to practice a trade or profession issued under Title 1364
XLVII of the Revised Code is subject to the provisions of section 1365
5903.10 of the Revised Code relating to service in the armed 1366
~~forces of the United States or a reserve component of the armed~~ 1367
~~forces of the United States, including the Ohio national guard or~~ 1368
~~the national guard of any other state.~~ 1369

(B) Continuing education requirements applicable to the 1370

licensees under Title XLVII of the Revised Code are subject to the 1371
provisions of section 5903.12 of the Revised Code relating to 1372
active duty military service. 1373

(C) A department, agency, or office of this state or of any 1374
political subdivision of this state that issues a license or 1375
certificate to practice a trade or profession may, pursuant to 1376
rules adopted by the department, agency, or office, issue a 1377
temporary license or certificate to practice the trade or 1378
profession to a person whose spouse is on active military duty in 1379
this state. 1380

(D) The issuance of a license or other authorization to 1381
practice a trade or profession issued under Title XLVII of the 1382
Revised Code is subject to the provisions of section 5903.03 of 1383
the Revised Code relating to service in the armed forces ~~of the~~ 1384
~~United States or a reserve component of the armed forces of the~~ 1385
~~United States, including the Ohio national guard or the national~~ 1386
~~guard of any other state.~~ 1387

Sec. 5902.02. The duties of the director of veterans services 1388
shall include the following: 1389

(A) Furnishing the veterans service commissions of all 1390
counties of the state copies of the state laws, rules, and 1391
legislation relating to the operation of the commissions and their 1392
offices; 1393

(B) Upon application, assisting the general public in 1394
obtaining records of vital statistics pertaining to veterans or 1395
their dependents; 1396

(C) Adopting rules pursuant to Chapter 119. of the Revised 1397
Code pertaining to minimum qualifications for hiring, certifying, 1398
and accrediting county veterans service officers, pertaining to 1399
their required duties, and pertaining to revocation of the 1400

certification of county veterans service officers;	1401
(D) Adopting rules pursuant to Chapter 119. of the Revised Code for the education, training, certification, and duties of veterans service commissioners and for the revocation of the certification of a veterans service commissioner;	1402 1403 1404 1405
(E) Developing and monitoring programs and agreements enhancing employment and training for veterans in single or multiple county areas;	1406 1407 1408
(F) Developing and monitoring programs and agreements to enable county veterans service commissions to address homelessness, indigency, and other veteran-related issues individually or jointly;	1409 1410 1411 1412
(G) Developing and monitoring programs and agreements to enable state agencies, individually or jointly, that provide services to veterans, including the veterans' homes operated under Chapter 5907. of the Revised Code and the director of job and family services, to address homelessness, indigency, employment, and other veteran-related issues;	1413 1414 1415 1416 1417 1418
(H) Establishing and providing statistical reporting formats and procedures for county veterans service commissions;	1419 1420
(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.	1421 1422 1423 1424 1425 1426 1427 1428
(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	1429 1430 1431

United States who is a resident of this state, a member of the 1432
military officers association of America who is a resident of this 1433
state, a state representative of congressionally chartered 1434
veterans organizations referred to in section 5901.02 of the 1435
Revised Code, a representative of any other congressionally 1436
chartered state veterans organization that has at least one 1437
veterans service commissioner in the state, three representatives 1438
of the Ohio state association of county veterans service 1439
commissioners, who shall have a combined vote of one, three 1440
representatives of the state association of county veterans 1441
service officers, who shall have a combined vote of one, one 1442
representative of the county commissioners association of Ohio, 1443
who shall be a county commissioner not from the same county as any 1444
of the other county representatives, a representative of the 1445
advisory committee on women veterans, a representative of a labor 1446
organization, and a representative of the office of the attorney 1447
general. The department of veterans services shall submit to the 1448
advisory committee proposed rules for the committee's operation. 1449
The committee may review and revise these proposed rules prior to 1450
submitting them to the joint committee on agency rule review. 1451

(K) Adopting, with the advice and assistance of the veterans 1452
advisory committee, policy and procedural guidelines that the 1453
veterans service commissions shall adhere to in the development 1454
and implementation of rules, policies, procedures, and guidelines 1455
for the administration of Chapter 5901. of the Revised Code. The 1456
department of veterans services shall adopt no guidelines or rules 1457
regulating the purposes, scope, duration, or amounts of financial 1458
assistance provided to applicants pursuant to sections 5901.01 to 1459
5901.15 of the Revised Code. The director of veterans services may 1460
obtain opinions from the office of the attorney general regarding 1461
rules, policies, procedures, and guidelines of the veterans 1462
service commissions and may enforce compliance with Chapter 5901. 1463
of the Revised Code. 1464

(L) Receiving copies of form DD214 filed in accordance with 1465
the director's guidelines adopted under division (L) of this 1466
section from members of veterans service commissions appointed 1467
under section 5901.02 and from county veterans service officers 1468
employed under section 5901.07 of the Revised Code; 1469

(M) Developing and maintaining and improving a resource, such 1470
as a telephone answering point or a web site, by means of which 1471
veterans and their dependents, through a single portal, can access 1472
multiple sources of information and interaction with regard to the 1473
rights of, and the benefits available to, veterans and their 1474
dependents. The director of veterans services may enter into 1475
agreements with state and federal agencies, with agencies of 1476
political subdivisions, with state and local instrumentalities, 1477
and with private entities as necessary to make the resource as 1478
complete as is possible. 1479

(N) Planning, organizing, advertising, and conducting 1480
outreach efforts, such as conferences and fairs, at which veterans 1481
and their dependents may meet, learn about the organization and 1482
operation of the department of veterans services and of veterans 1483
service commissions, and obtain information about the rights of, 1484
and the benefits and services available to, veterans and their 1485
dependents; 1486

(O) Advertising, in print, on radio and television, and 1487
otherwise, the rights of, and the benefits and services available 1488
to, veterans and their dependents; 1489

(P) Developing and advocating improved benefits and services 1490
for, and improved delivery of benefits and services to, veterans 1491
and their dependents; 1492

(Q) Searching for, identifying, and reviewing statutory and 1493
administrative policies that relate to veterans and their 1494
dependents and reporting to the general assembly statutory and 1495

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;

(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;

(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;

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

(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 benefits and services to which veterans and their dependents are entitled;

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

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

(X) Reviewing the reports submitted to the director under

division (W) of this section within thirty days of receipt and 1527
informing the veterans organization of any deficiencies that exist 1528
in the organization's report and that funding will not be released 1529
until the deficiencies have been corrected and a satisfactory 1530
report submitted; 1531

(Y) Advising the director of budget and management when a 1532
report submitted to the director under division (W) of this 1533
section has been reviewed and determined to be satisfactory; 1534

(Z) Furnishing copies of all reports that the director of 1535
veterans services has determined have been submitted 1536
satisfactorily under division (W) of this section to the 1537
chairperson of the finance committees of the general assembly; 1538

(AA) Investigating complaints against county veterans 1539
services commissioners and county veterans service officers if the 1540
director reasonably believes the investigation to be appropriate 1541
and necessary; 1542

(BB) Developing and maintaining a web site that is accessible 1543
by veterans and their dependents and provides a link to the web 1544
site of each state agency that issues a license, certificate, or 1545
other authorization permitting an individual to engage in an 1546
occupation or occupational activity; 1547

(CC) Encouraging state agencies to conduct outreach efforts 1548
through which veterans and their dependents can learn about 1549
available job and education benefits; 1550

(DD) Informing state agencies about changes in statutes and 1551
rules that affect veterans and their dependents; 1552

(EE) Assisting licensing agencies in adopting rules under 1553
section 5903.03 of the Revised Code; 1554

(FF) Taking any other actions required by this chapter. 1555

Sec. 5903.01. As used in this chapter: 1556

"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.

"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.

"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.

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

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

"Service member" means any person who is serving in the armed forces.

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

"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. 1587

Sec. 5903.03. (A) As used in this section+ 1588

~~(1) "License" and "licensing agency" have the meanings defined in section 5903.12 of the Revised Code.~~ 1589
1590

~~(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.~~ 1591
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(B) Notwithstanding any provision of the Revised Code to the contrary, a licensing agency shall consider an applicant for a license: 1596
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(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 1599
1600
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(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 substantially equivalent to or exceeds the experience requirement for that license. 1604
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(C) Each licensing agency, not later than June 30, 2014, shall adopt rules under Chapter 119. of the Revised Code regarding which military programs of training, military primary specialties, and lengths of service are substantially equivalent to or exceed the educational and experience requirements for each license that agency issues. 1609
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Sec. 5903.04. Each licensing agency shall adopt rules under 1615

Chapter 119. of the Revised Code to establish and implement all of 1616
the following: 1617

(A) A process to obtain from each applicant documentation and 1618
additional information necessary to determine if the applicant is 1619
a service member or veteran, or the spouse or surviving spouse of 1620
a service member or veteran; 1621

(B) A process to record, track, and monitor applications that 1622
have been received from a service member, veteran, or the spouse 1623
or surviving spouse of a service member or veteran; and 1624

(C) A process to prioritize and expedite certification or 1625
licensing for each applicant who is a service member, veteran, or 1626
the spouse or a surviving spouse of a service member or veteran. 1627

In establishing these processes, the licensing agency shall 1628
include any special accommodations that may be appropriate for 1629
applicants facing imminent deployment. 1630

Sec. 5903.05. A licensing agency shall apply for approval to 1631
the state approving agency at the Ohio department of veterans 1632
services as required under 38 U.S.C. 3672(a) to enable an eligible 1633
person or veteran to receive education benefits through the United 1634
States department of veterans affairs. 1635

Sec. 5903.10. (A) A holder of an expired license or 1636
certificate from this state or any political subdivision or agency 1637
of the state to practice a trade or profession shall be granted a 1638
renewal of the license or certificate by the issuing board or 1639
authority at the usual cost without penalty and without 1640
re-examination if not otherwise disqualified because of mental or 1641
physical disability and if either of the following applies: 1642

(1) The license or certificate was not renewed because of the 1643
holder's service in the armed forces of the United States or a 1644

~~reserve component of the armed forces of the United States,~~ 1645
~~including the Ohio national guard or the national guard of any~~ 1646
~~other state.~~ 1647

(2) The license or certificate was not renewed because the 1648
holder's spouse served in the armed forces of the United States or 1649
a reserve component of the armed forces ~~of the United States,~~ 1650
~~including the Ohio national guard or the national guard of any~~ 1651
~~other state,~~ and the service resulted in the holder's absence from 1652
this state. 1653

(B) A renewal shall not be granted under division (A) of this 1654
section unless the holder or the holder's spouse, whichever is 1655
applicable, has presented satisfactory evidence of the service 1656
member's discharge under honorable conditions or release under 1657
honorable conditions from active duty or national guard duty 1658
within six months after the discharge or release. 1659

Sec. 5903.11. (A) Any federally funded employment and 1660
training program administered by any state agency including, but 1661
not limited to, the "Workforce Investment Act of 1998," 112 Stat. 1662
936, codified in scattered sections of 29 U.S.C., as amended, 1663
shall include a veteran priority system to provide maximum 1664
employment and training opportunities to veterans and eligible 1665
persons within each targeted group as established by federal law 1666
and state and federal policy in the service area. Disabled 1667
veterans, veterans of the Vietnam era, other veterans, and 1668
eligible persons shall receive preference over nonveterans within 1669
each targeted group in the provision of employment and training 1670
services available through these programs as required by this 1671
section. 1672

(B) Each state agency shall refer qualified applicants to job 1673
openings and training opportunities in programs described in 1674
division (A) of this section in the following order of priority: 1675

(1) Special disabled veterans;	1676
(2) Veterans of the Vietnam era;	1677
(3) Disabled veterans;	1678
(4) All other veterans;	1679
(5) Other eligible persons;	1680
(6) Nonveterans.	1681
(C) Each state agency providing employment and training services to veterans and eligible persons under programs described in division (A) of this section shall submit an annual written report to the speaker of the house of representatives and the president of the senate on the services that it provides to veterans and eligible persons. Each such agency shall report separately on all entitlement programs, employment or training programs, and any other programs that it provides to each class of persons described in divisions (B)(1) to (6) of this section. Each such agency shall also report on action taken to ensure compliance with statutory requirements. Compliance and reporting procedures shall be in accordance with the reporting procedures then in effect for all employment and training programs described in division (A) of this section, with the addition of veterans as a separate reporting module.	1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696
(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:	1697 1698 1699 1700
(1) Ensure that veterans are treated with courtesy and respect at all state governmental facilities;	1701 1702
(2) Give priority in referral to jobs to qualified veterans and other eligible persons;	1703 1704
(3) Give priority in referral to and enrollment in training	1705

programs to qualified veterans and other eligible persons;	1706
(4) Give preferential treatment to special disabled veterans	1707
in the provision of all needed state services;	1708
(5) Provide information and effective referral assistance to	1709
veterans and other eligible persons regarding needed benefits and	1710
services that may be obtained through other agencies.	1711
(E) As used in this section:	1712
(1) "Special disabled veteran" means a veteran who is	1713
entitled to, or who but for the receipt of military pay would be	1714
entitled to, compensation under any law administered by the	1715
department of veterans affairs for a disability rated at thirty	1716
per cent or more or a person who was discharged or released from	1717
active duty because of a service-connected disability.	1718
(2) "Veteran of the Vietnam era" means an eligible veteran	1719
who served on active duty for a period of more than one hundred	1720
eighty days, any part of which occurred from August 5, 1964,	1721
through May 7, 1975, and was discharged or released therefrom with	1722
other than a dishonorable discharge or a person who was discharged	1723
or released from active duty for a service-connected disability if	1724
any part of the active duty was performed from August 5, 1964,	1725
through May 7, 1975.	1726
(3) "Disabled veteran" means a veteran who is entitled to, or	1727
who but for the receipt of military retirement pay would be	1728
entitled to compensation, under any law administered by the	1729
department of veterans affairs and who is not a special disabled	1730
veteran.	1731
(4) "Eligible veteran" means a person who served on active	1732
duty for more than one hundred eighty days and was discharged or	1733
released from active duty with other than a dishonorable discharge	1734
or a person who was discharged or released from active duty	1735
because of a service-connected disability.	1736

(5) "Other eligible person" means one of the following:	1737
(a) The spouse of any person who died of a service-connected disability;	1738 1739
(b) The spouse of any member of the armed forces serving on active duty who at the time of the spouse's application for assistance under any program described in division (A) of this section is listed pursuant to the "Act of September 6, 1966," 80 Stat. 629, 37 U.S.C.A. 556, and the regulations issued pursuant thereto, as having been in one or more of the following categories for a total of ninety or more days:	1740 1741 1742 1743 1744 1745 1746
(i) Missing in action;	1747
(ii) Captured in line of duty by a hostile force;	1748
(iii) Forcibly detained or interned in line of duty by a foreign government or power.	1749 1750
(c) The spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while such a disability was in existence.	1751 1752 1753 1754
(6) "Veteran" means either of the following:	1755
(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;	1756 1757 1758 1759 1760
(b) A or a person who served as a member of the United States merchant marine and to whom either of the following applies:	1761 1762
(i) (a) The person has an honorable report of separation from active duty military service, form DD214 or DD215- i or	1763 1764
(ii) (b) The person served in the United States merchant marine between December 7, 1941, and December 31, 1946, and died	1765 1766

on active duty while serving in a war zone during that period of 1767
service. 1768

~~(7) "Armed forces of the United States" means the army, air 1769
force, navy, marine corps, coast guard, and any other military 1770
service branch that is designated by congress as a part of the 1771
armed forces of the United States. 1772~~

~~(8)~~ "Employment program" means a program which provides 1773
referral of individuals to employer job openings in the federal, 1774
state, or private sector. 1775

~~(9)~~(8) "Training program" means any program that upgrades the 1776
employability of qualified applicants. 1777

~~(10)~~(9) "Entitlement program" means any program that enlists 1778
specific criteria in determining eligibility, including but not 1779
limited to the existence in special segments of the general 1780
population of specific financial needs. 1781

~~(11)~~(10) "Targeted group" means a group of persons designated 1782
by federal law or regulations or by state law to receive special 1783
assistance under an employment and training program described in 1784
division (A) of this section. 1785

~~(12) "United States merchant marine" includes the United 1786
States army transport service and the United States naval 1787
transport service. 1788~~

Sec. 5903.12. (A) As used in this section: 1789

~~(1)~~ "Continuing education" means continuing education 1790
required of a licensee by law and includes, but is not limited to, 1791
the continuing education required of licensees under sections 1792
3737.881, 3781.10, 4701.11, 4715.141, 4715.25, 4717.09, 4723.24, 1793
4725.16, 4725.51, 4730.14, 4730.49, 4731.281, 4734.25, 4735.141, 1794
4736.11, 4741.16, 4741.19, 4751.07, 4755.63, 4757.33, 4759.06, 1795
4761.06, and 4763.07 of the Revised Code. 1796

~~(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 1828
portion of a month served on active duty shall be considered one 1829
full month. 1830

~~Sec. 5903.121. A "licensing agency," as defined in section 1831
5903.12 of the Revised Code, shall consider relevant education, 1832
training, or service completed by a licensee as a member of the 1833
armed forces of the United States or reserve components thereof, 1834
the Ohio national guard, the Ohio military reserve, the Ohio naval 1835
militia, or the national guard of any other state in determining 1836
whether a licensee has fulfilled required continuing education. 1837~~

Sec. 5903.15. (A) As used in this section "employer" means 1838
any person who has one or more employees. "Employer" includes an 1839
agent of an employer but does not include the state or any agency 1840
of the state, and any municipal corporation, county, township, 1841
school district, or other political subdivision or any agency or 1842
instrumentality thereof. 1843

(B) An employer may adopt a policy to provide a preference 1844
for employment decisions, including hiring, promotion, or 1845
retention during a reduction in force, to a service member, 1846
veteran, or the spouse or a surviving spouse of a service member 1847
or veteran. 1848

(C) A preference provided under division (B) of this section 1849
is not a violation of any state or local equal employment 1850
opportunity law. The unlawful discriminatory practices as defined 1851
in section 4112.02 of the Revised Code do not make it unlawful for 1852
an employer implementing a policy under this section to obtain 1853
information about an applicant's military status for the purpose 1854
of determining if the applicant is eligible for the preference 1855
provided under this policy. 1856

(D) If an employer elects to adopt a policy described in 1857

division (B) of this section, the employer may notify the Ohio 1858
department of job and family services. The department of job and 1859
family services shall maintain a registry of employers that have a 1860
voluntary veterans' preference employment policy as described in 1861
this section, which shall be available to the public on the web 1862
site maintained by the department. The department of veterans 1863
services shall make available on the department's web site a link 1864
to the registry. 1865

Sec. 5907.01. (A) As used in this chapter: 1866

(1) "Armed forces of the United States" ~~has the same meaning~~ 1867
~~as in section 5903.11 of the Revised Code~~ means the army, air 1868
force, navy, marine corps, coast guard, and any other military 1869
service branch that is designated by congress as a part of the 1870
armed forces of the United States. 1871

(2) "Domiciliary" means a separate area within the Ohio 1872
veterans' home providing domiciliary care. 1873

(3) "Domiciliary care" means providing shelter, food, and 1874
necessary medical care on an ambulatory self-care basis to 1875
eligible veterans who do not need the nursing services provided in 1876
nursing homes. 1877

(4) "Nursing home" has the same meaning as in section 3721.01 1878
of the Revised Code. 1879

(5) "Veteran" has the same meaning as in section 5901.01 of 1880
the Revised Code. 1881

(B) There are hereby established the Ohio veterans' homes 1882
within the department of veterans services. The department shall 1883
maintain and operate state veterans' homes as administered under 1884
the state veterans' home programs defined in Title 38 of the 1885
United States Code. 1886

Sec. 5907.04. Subject As used in this section, "armed forces 1887
of the United States" means the army, air force, navy, marine 1888
corps, coast guard, and any other military service branch that is 1889
designated by congress as a part of the armed forces of the United 1890
States. 1891

Subject to the following paragraph, all veterans, who served 1892
during a period of conflict as determined by the United States 1893
department of veterans affairs or any person who is awarded either 1894
the armed forces expeditionary medal established by presidential 1895
executive order 10977 dated December 4, 1961, or the Vietnam 1896
service medal established by presidential executive order 11231 1897
dated July 8, 1965, who have been honorably discharged or 1898
separated under honorable conditions therefrom, or any discharged 1899
members of the Polish and Czechoslovakian armed forces who served 1900
in armed conflict with an enemy of the United States in World War 1901
II who have been citizens of the United States for at least ten 1902
years, provided that the above-mentioned persons have been 1903
citizens of this state for one year or more at the date of making 1904
application for admission, are disabled by disease, wounds, or 1905
otherwise, and are by reason of such disability incapable of 1906
earning their living, and all members of the Ohio national guard 1907
or naval militia who have lost an arm or leg, or their sight, or 1908
become permanently disabled from any cause, while in the line and 1909
discharge of duty, and are not able to support themselves, may be 1910
admitted to a veterans' home under such rules as the director of 1911
veterans services adopts. 1912

A veteran who served in the armed forces of the United States 1913
~~as defined in division (E)(7) of section 5903.11 of the Revised~~ 1914
~~Code~~ is eligible for admission to a veterans' home under the 1915
preceding paragraph only if the person has the characteristics 1916
defined in division (B)(1) of section 5901.01 of the Revised Code. 1917

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

Section 2. That existing sections 1306.20, 2913.01, 2913.02, 2913.43, 2913.49, 2913.61, 3333.28, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 5902.02, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 5907.04 of the Revised Code are hereby repealed.

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

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

Section 5. State agencies that are required to apply for approval to the State Approving Agency at the Ohio Department of Veterans Services under section 5903.05 of the Revised Code shall do so initially not later than December 31, 2014.

Section 6. The Chancellor of the Ohio Board of Regents shall prepare a report describing the progress made by state institutions of higher education toward implementation of this act by the Chancellor and by state institutions of higher education. The report shall include recommendations and ideas on how to

integrate service members and veterans into the campus environment 1946
and how to promote academic achievement among service members and 1947
veterans in order to better prepare service members and the 1948
veterans to enter the workforce. The Chancellor, within six months 1949
after the effective date of this section, shall deliver the report 1950
to the General Assembly under division (B) of section 101.68 of 1951
the Revised Code. 1952

Section 7. Section 4731.36 of the Revised Code is presented 1953
in this act as a composite of the section as amended by both Sub. 1954
H.B. 251 and Sub. S.B. 141 of the 129th General Assembly. The 1955
General Assembly, applying the principle stated in division (B) of 1956
section 1.52 of the Revised Code that amendments are to be 1957
harmonized if reasonably capable of simultaneous operation, finds 1958
that the composite is the resulting version of the section in 1959
effect prior to the effective date of the section as presented in 1960
this act. 1961