

# AN ACT

To enact sections 3304.23 and 5502.08 of the Revised Code to require the Department of Public Safety to establish a database of persons who are diagnosed with a communication disability or a disability that can impair communication and to require the Opportunities for Ohioans with Disabilities Agency to establish a verification form for persons to voluntarily register for inclusion in the database.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3304.23 and 5502.08 of the Revised Code be enacted to read as follows:

Sec. 3304.23. (A) As used in this section:

(1) "Communication disability" means a human condition involving an impairment in the human's ability to receive, send, process, or comprehend concepts or verbal, nonverbal, or graphic symbol systems that may result in a primary disability or may be secondary to other disabilities.

(2) "Disability that can impair communication" means a human condition with symptoms that can impair the human's ability to receive, send, process, or comprehend concepts or verbal, nonverbal, or graphic symbol systems.

(3) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.

(4) "Physician" means a person licensed to practice medicine or surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code.

(5) "Psychiatrist" has the same meaning as in section 5122.01 of the Revised Code.

(6) "Psychologist" has the same meaning as in section 4732.01 of the Revised Code.

(B) The opportunities for Ohioans with disabilities agency shall develop a verification form for a person diagnosed with a communication disability or a disability that can impair communication to be submitted voluntarily to the department of public safety so that the person may be included in the database established under section 5502.08 of the Revised Code. The same form shall be used to indicate that the person wishes to be removed from the database in accordance with division (F) of section 5502.08 of the Revised Code.

(C) The form shall include the following information:

(1) The name of the person diagnosed with a communication disability or a disability that can impair communication;

(2) The name of the person completing the form on behalf of the person diagnosed with a communication disability or a disability that can impair communication, if applicable;

(3) The relationship between the person completing the form and the person diagnosed with a communication disability or a disability that can impair communication, if applicable;

(4) The driver's license number or state identification card number issued to the person diagnosed with a communication disability or a disability that can impair communication, if that person has such a number;

(5) The license plate number of each vehicle owned, operated, or regularly occupied by the person diagnosed with a communication disability or a disability that can impair communication or registered in that person's name;

(6) A physician, psychiatrist, or psychologist's signed certification that the person has been diagnosed with a communication disability or a disability that can impair communication;

(7) The name, business address, business telephone number, and medical license number of the physician, psychiatrist, or psychologist making the certification;

(8) The signature of the person diagnosed with a communication disability or a disability that can impair communication or the signature of the person completing the form on behalf of such a person;

(9) A place where the person diagnosed with a communication disability or a disability that can impair communication or the person completing the form on behalf of such a person may indicate the desire to be removed from the database.

(D) Any of the following persons may complete the verification form:

(1) Any person diagnosed with a communication disability or a disability that can impair communication who is eighteen years of age or older;

(2) The parent or parents of a minor child diagnosed with a communication disability or a disability that can impair communication;

(3) The guardian of a person diagnosed with a communication disability or a disability that can impair communication, regardless of the age of the person.

(E) The opportunities for Ohioans with disabilities agency and the department of public safety shall make the verification form electronically available on each of their respective web sites.

Sec. 5502.08. (A) As used in this section:

(1) "Communication disability" has the same meaning as in section 3304.23 of the Revised Code.

(2) "Disability that can impair communication" has the same meaning as in section 3304.23 of the Revised Code.

(3) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.

(4) "Ward" has the same meaning as in section 2111.01 of the Revised Code.

(B) The department of public safety shall establish and maintain a database of persons who register under this section as being diagnosed with a communication disability or a disability that can impair communication.

(C) Any person diagnosed with a communication disability or a disability that can impair communication who is eighteen years of age or older may register with the department for inclusion in the database by submitting a completed verification form established by the opportunities for Ohioans with disabilities agency under section 3304.23 of the Revised Code.

(D) Any parent or guardian of a minor child or a ward diagnosed with a communication disability or a disability that can impair communication may register the minor child or the ward with the department for inclusion in the database by submitting a completed verification form established

by the opportunities for Ohioans with disabilities agency under section 3304.23 of the Revised Code.

(E)(1) The department shall include in the database information provided on a completed verification form that the department determines is necessary for a law enforcement officer to identify a person as diagnosed with a communication disability or a disability that can impair communication. The department shall make the database available to state and local law enforcement officers through the law enforcement automated data system.

(2) Information in the database is not a public record subject to inspection or copying under section 149.43 of the Revised Code.

(F) A person diagnosed with a communication disability or a disability that can impair communication who is included in the database or the parent or guardian of a minor child or a ward diagnosed with a communication disability or a disability that can impair communication who is included in the database may request removal of the person, minor, or ward, as applicable, from the database. The person, parent, or guardian shall do so by completing the verification form with only the information required under divisions (C)(1), (2), (3), (8), and (9) of section 3304.23 of the Revised Code, as applicable, and submitting the form to the department. Upon receipt of a properly completed verification form requesting the removal of a person with a communication disability or a disability that can impair communication from the database, the department shall immediately remove that person from the database.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, A. D. 20 \_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_