

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 238**

**Representatives Retherford, Brenner**

**Cosponsors: Representatives Lanese, Vitale, Goodman, Bocchieri, Koehler**

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**A BILL**

To amend sections 111.16, 111.17, 1703.31, 1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 and to enact sections 5903.21, 5903.22, 5903.23, 5903.24, and 5903.25 of the Revised Code to establish the Veterans Fee Waiver Program.

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

**Section 1.** That sections 111.16, 111.17, 1703.31, 1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 be amended and sections 5903.21, 5903.22, 5903.23, 5903.24, and 5903.25 of the Revised Code be enacted to read as follows:

**Sec. 111.16.** The secretary of state shall charge and collect, for the benefit of the state, the following fees:

(A) For filing and recording articles of incorporation of a domestic corporation, including designation of agent:

(1) Wherein the corporation shall not be authorized to issue any shares of capital stock, ninety-nine dollars;

(2) Wherein the corporation shall be authorized to issue shares of capital stock, with or without par value:

(a) Ten cents for each share authorized up to and including one thousand shares;	18 19
(b) Five cents for each share authorized in excess of one thousand shares up to and including ten thousand shares;	20 21
(c) Two cents for each share authorized in excess of ten thousand shares up to and including fifty thousand shares;	22 23
(d) One cent for each share authorized in excess of fifty thousand shares up to and including one hundred thousand shares;	24 25
(e) One-half cent for each share authorized in excess of one hundred thousand shares up to and including five hundred thousand shares;	26 27 28
(f) One-quarter cent for each share authorized in excess of five hundred thousand shares; provided no fee shall be less than ninety-nine dollars or greater than one hundred thousand dollars.	29 30 31 32
(B) For filing and recording a certificate of amendment to or amended articles of incorporation of a domestic corporation, or for filing and recording a certificate of reorganization, a certificate of dissolution, or an amendment to a foreign license application:	33 34 35 36 37
(1) If the domestic corporation is not authorized to issue any shares of capital stock, fifty dollars;	38 39
(2) If the domestic corporation is authorized to issue shares of capital stock, fifty dollars, and in case of any increase in the number of shares authorized to be issued, a further sum computed in accordance with the schedule set forth in division (A) (2) of this section less a credit computed in the same manner for the number of shares previously authorized to be	40 41 42 43 44 45

issued by the corporation; provided no fee under division (B) (2) 46  
of this section shall be greater than one hundred thousand 47  
dollars; 48

(3) If the foreign corporation is not authorized to issue 49  
any shares of capital stock, fifty dollars; 50

(4) If the foreign corporation is authorized to issue 51  
shares of capital stock, fifty dollars. 52

(C) For filing and recording articles of incorporation of 53  
a savings and loan association, ninety-nine dollars; and for 54  
filing and recording a certificate of amendment to or amended 55  
articles of incorporation of a savings and loan association, 56  
fifty dollars; 57

(D) For filing and recording a certificate of conversion, 58  
including a designation of agent, a certificate of merger, or a 59  
certificate of consolidation, ninety-nine dollars and, in the 60  
case of any new corporation resulting from a consolidation or 61  
any surviving corporation that has an increased number of shares 62  
authorized to be issued resulting from a merger, an additional 63  
sum computed in accordance with the schedule set forth in 64  
division (A) (2) of this section less a credit computed in the 65  
same manner for the number of shares previously authorized to be 66  
issued or represented in this state by each of the corporations 67  
for which a consolidation or merger is effected by the 68  
certificate; 69

(E) For filing and recording articles of incorporation of 70  
a credit union or the American credit union guaranty 71  
association, ninety-nine dollars, and for filing and recording a 72  
certificate of increase in capital stock or any other amendment 73  
of the articles of incorporation of a credit union or the 74

association, fifty dollars;	75
(F) For filing and recording articles of organization of a limited liability company, for filing and recording an application to become a registered foreign limited liability company, for filing and recording a registration application to become a domestic limited liability partnership, or for filing and recording an application to become a registered foreign limited liability partnership, ninety-nine dollars;	76 77 78 79 80 81 82
(G) For filing and recording a certificate of limited partnership or an application for registration as a foreign limited partnership, or for filing an initial statement of partnership authority pursuant to section 1776.33 of the Revised Code, ninety-nine dollars;	83 84 85 86 87
(H) For filing a copy of papers evidencing the incorporation of a municipal corporation or of annexation of territory by a municipal corporation, five dollars, to be paid by the municipal corporation, the petitioners therefor, or their agent;	88 89 90 91 92
(I) For filing and recording any of the following:	93
(1) A license to transact business in this state by a foreign corporation for profit pursuant to section 1703.04 of the Revised Code or a foreign nonprofit corporation pursuant to section 1703.27 of the Revised Code, ninety-nine dollars;	94 95 96 97
(2) A biennial report or biennial statement pursuant to section 1775.63, 1776.83, or 1785.06 of the Revised Code, twenty-five dollars;	98 99 100
(3) Except as otherwise provided in this section or any other section of the Revised Code, any other certificate or paper that is required to be filed and recorded or is permitted	101 102 103

to be filed and recorded by any provision of the Revised Code	104
with the secretary of state, twenty-five dollars.	105
(J) For filing any certificate or paper not required to be	106
recorded, five dollars;	107
(K) (1) For making copies of any certificate or other paper	108
filed in the office of the secretary of state, a fee not to	109
exceed one dollar per page, except as otherwise provided in the	110
Revised Code, and for creating and affixing the seal of the	111
office of the secretary of state to any good standing or other	112
certificate, five dollars. For copies of certificates or papers	113
required by state officers for official purpose, no charge shall	114
be made.	115
(2) For creating and affixing the seal of the office of	116
the secretary of state to the certificates described in division	117
(E) of section 1701.81, division (E) of section 1701.811,	118
division (E) of section 1705.38, division (E) of section	119
1705.381, division (D) of section 1702.43, division (E) of	120
section 1775.47, division (E) of section 1775.55, division (E)	121
of section 1776.70, division (E) of section 1776.74, division	122
(E) of section 1782.433, or division (E) of section 1782.4310 of	123
the Revised Code, twenty-five dollars.	124
(L) For a minister's license to solemnize marriages, ten	125
dollars;	126
(M) For examining documents to be filed at a later date	127
for the purpose of advising as to the acceptability of the	128
proposed filing, fifty dollars;	129
(N) Fifty dollars for filing and recording any of the	130
following:	131
(1) A certificate of dissolution and accompanying	132

documents, or a certificate of cancellation, under section	133
1701.86, 1702.47, 1705.43, 1776.65, or 1782.10 of the Revised	134
Code;	135
(2) A notice of dissolution of a foreign licensed	136
corporation or a certificate of surrender of license by a	137
foreign licensed corporation under section 1703.17 of the	138
Revised Code;	139
(3) The withdrawal of registration of a foreign or	140
domestic limited liability partnership under section 1775.61,	141
1775.64, 1776.81, or 1776.86 of the Revised Code, or the	142
certificate of cancellation of registration of a foreign limited	143
liability company under section 1705.57 of the Revised Code;	144
(4) The filing of a statement of denial under section	145
1776.34 of the Revised Code, a statement of dissociation under	146
section 1776.57 of the Revised Code, a statement of disclaimer	147
of general partner status under Chapter 1782. of the Revised	148
Code, or a cancellation of disclaimer of general partner status	149
under Chapter 1782. of the Revised Code.	150
(O) For filing a statement of continued existence by a	151
nonprofit corporation, twenty-five dollars;	152
(P) For filing a restatement under section 1705.08 or	153
1782.09 of the Revised Code, an amendment to a certificate of	154
cancellation under section 1782.10 of the Revised Code, an	155
amendment under section 1705.08 or 1782.09 of the Revised Code,	156
or a correction under section 1705.55, 1775.61, 1775.64,	157
1776.12, or 1782.52 of the Revised Code, fifty dollars;	158
(Q) For filing for reinstatement of an entity cancelled by	159
operation of law, by the secretary of state, by order of the	160
department of taxation, or by order of a court, twenty-five	161

dollars;	162
(R) For filing and recording any of the following:	163
(1) A change of agent, resignation of agent, or change of agent's address under section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 1746.04, 1747.03, 1776.07, or 1782.04 of the Revised Code, twenty-five dollars;	164 165 166 167
(2) A multiple change of agent name or address, standardization of agent address, or resignation of agent under section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 1746.04, 1747.03, 1776.07, or 1782.04 of the Revised Code, one hundred twenty-five dollars, plus three dollars per entity record being changed, by the multiple agent update.	168 169 170 171 172 173
(S) For filing and recording any of the following:	174
(1) An application for the exclusive right to use a name or an application to reserve a name for future use under section 1701.05, 1702.05, 1703.31, 1705.05, or 1746.06 of the Revised Code, thirty-nine dollars;	175 176 177 178
(2) A trade name or fictitious name registration or report, thirty-nine dollars;	179 180
(3) An application to renew any item covered by division (S)(1) or (2) of this section that is permitted to be renewed, twenty-five dollars;	181 182 183
(4) An assignment of rights for use of a name covered by division (S)(1), (2), or (3) of this section, the cancellation of a name registration or name reservation that is so covered, or notice of a change of address of the registrant of a name that is so covered, twenty-five dollars.	184 185 186 187 188
(T) For filing and recording a report to operate a	189

business trust or a real estate investment trust, either foreign 190  
or domestic, ninety-nine dollars; and for filing and recording 191  
an amendment to a report or associated trust instrument, or a 192  
surrender of authority, to operate a business trust or real 193  
estate investment trust, fifty dollars; 194

(U) (1) For filing and recording the registration of a 195  
trademark, service mark, or mark of ownership, one hundred 196  
twenty-five dollars; 197

(2) For filing and recording the change of address of a 198  
registrant, the assignment of rights to a registration, a 199  
renewal of a registration, or the cancellation of a registration 200  
associated with a trademark, service mark, or mark of ownership, 201  
twenty-five dollars. 202

(V) For filing a service of process with the secretary of 203  
state, five dollars, except as otherwise provided in any section 204  
of the Revised Code. 205

Fees specified in this section may be paid by cash, check, 206  
or money order, by credit card in accordance with section 113.40 207  
of the Revised Code, or by an alternative payment program in 208  
accordance with division (B) of section 111.18 of the Revised 209  
Code. Any credit card number or the expiration date of any 210  
credit card is not subject to disclosure under Chapter 149. of 211  
the Revised Code. 212

The fees specified in divisions (A), (F), (G), and (S) of 213  
this section are subject to sections 5903.21 to 5903.25 of the 214  
Revised Code relating to the veterans fee waiver program. 215

**Sec. 111.17.** The secretary of state shall not file or 216  
record articles of incorporation or consolidation, certificates, 217  
or other papers referred to in section 111.16 of the Revised 218



Code unless the fee has been paid or the fee is waived under the 219  
veterans fee waiver program under sections 5903.21 to 5903.25 of 220  
the Revised Code. 221

**Sec. 1703.31.** (A) Any foreign corporation may register its 222  
corporate name, if its corporate name is available for use under 223  
division (D) of section 1703.04 of the Revised Code, by filing 224  
in the office of the secretary of state an application, on a 225  
form prescribed by the secretary of state, that contains the 226  
following information: 227

(1) The exact corporate name to be registered; 228

(2) The complete address of the principal office of the 229  
corporation; 230

(3) The jurisdiction of its incorporation; 231

(4) The date of its incorporation; 232

(5) A statement that it is carrying on or doing business; 233

(6) The general nature of the business in which it is 234  
engaged; 235

(7) Any other information required by the secretary of 236  
state. 237

The application shall be signed and verified by an officer 238  
of the applicant. 239

The application shall be accompanied by a certificate 240  
stating that the corporation is in good standing under the laws 241  
of the jurisdiction of its incorporation, which certificate 242  
shall be executed by the official of the jurisdiction having 243  
custody of the records pertaining to corporations and dated not 244  
earlier than sixty days prior to the filing of the application. 245

The filing fee specified in division (S) (1) of section 246  
111.16 of the Revised Code shall accompany the application 247  
unless the fee is waived under the veterans fee waiver program 248  
under sections 5903.21 to 5903.25 of the Revised Code. 249

(B) Registration of a corporate name under this section is 250  
effective for a term of one year from the date of registration. 251  
Upon application, on a form prescribed by the secretary of 252  
state, filed with the secretary of state prior to the expiration 253  
of each one-year term, the registration may be renewed for an 254  
additional term. The renewal application shall set forth the 255  
facts required to be set forth in the original application for 256  
registration, together with a certificate of good standing as 257  
required for the initial registration. 258

The secretary of state shall notify registrants within the 259  
three months before the expiration of one year from the date of 260  
registration of the necessity of renewal by writing to the 261  
principal office address of the registrants as shown upon the 262  
current registration in effect. 263

The renewal fee specified in division (S) (3) of section 264  
111.16 of the Revised Code, payable to the secretary of state, 265  
shall accompany the application for renewal of the registration. 266

**Sec. 1729.12.** (A) For filing articles of incorporation or 267  
a certificate of amendment of articles or a certificate of 268  
merger, consolidation, division, or dissolution, and with 269  
respect to the issuance of shares of stock, an association 270  
organized under this chapter shall pay to the secretary of state 271  
the fees imposed by section 111.16 of the Revised Code unless a 272  
fee is waived under the veterans fee waiver program under 273  
sections 5903.21 to 5903.25 of the Revised Code. In the case of 274  
a certificate of division, the filing fee shall be the same as 275

for a certificate of merger or consolidation. 276

(B) When the articles of incorporation, or a certificate 277  
of amendment of articles, or a certificate of merger, 278  
consolidation, conversion, division, or dissolution is filed 279  
with the secretary of state, the secretary of state shall, if 280  
the articles or certificate complies with this chapter, endorse 281  
approval thereon, the date of filing, a file number, and make a 282  
legible copy thereof by any authorized method. The original or a 283  
copy of the articles or certificate, certified by the secretary 284  
of state, shall be returned to the person filing the articles or 285  
certificate. 286

(C) All persons shall have the opportunity to acquire a 287  
copy of the articles and other certificates filed and recorded 288  
in the office of the secretary of state, but no person dealing 289  
with the association shall be charged with constructive notice 290  
of the contents of any such articles or certificates by reason 291  
of the filing or recording. 292

**Sec. 1746.06.** (A) No business trust that has made a filing 293  
pursuant to section 1746.04 of the Revised Code may use the 294  
words "Incorporated," "Corporation," "Inc.," "Co.," 295  
"Partnership," "Ltd.," or derivatives thereof in its name. 296

(B) No business trust formed after the effective date of 297  
this chapter that has made a filing pursuant to section 1746.04 298  
of the Revised Code shall assume the name of any corporation 299  
established under the laws of this state, or of a corporation, 300  
firm, or association, or trust whether or not as defined in 301  
section 1746.01 of the Revised Code, or of an individual, 302  
carrying on business in this state at the time when the business 303  
trust is created, or assume a name so similar thereto as to be 304  
likely to be mistaken for it, except with the written consent of 305

such existing corporation, firm, association, or trust, or of 306  
such individual, previously or concurrently filed with the 307  
secretary of state. 308

(C) The secretary of state shall refuse to receive for 309  
filing the trust instrument of a business trust if it appears to 310  
the secretary of state to have violated any provision of this 311  
section. The courts of common pleas of this state shall have 312  
jurisdiction, upon the application of any person interested or 313  
affected, to enjoin a business trust from transacting business 314  
under any name in violation of any provision of this section, 315  
notwithstanding that the trust instrument of such business trust 316  
has been received for filing under section 1746.04 of the 317  
Revised Code. 318

(D) Any person who wishes to reserve a name for a proposed 319  
new business trust, or any business trust intending to change 320  
its name, may submit to the secretary of state a written 321  
application for the exclusive right to use a specified name as 322  
the name of a business trust. If the secretary of state finds 323  
that, under this section, the specified name is available for 324  
such use, the secretary of state shall indorse the secretary of 325  
state's approval upon and file such application and, from the 326  
date of such indorsement, such applicant shall have the 327  
exclusive right for one hundred eighty days to use the specified 328  
name as the name of a business trust, counting the date of such 329  
indorsement as the first of the one hundred eighty days. The 330  
right so obtained may be transferred by the applicant or other 331  
holder thereof by the filing in the office of the secretary of 332  
state of a written transfer stating the name and address of the 333  
transferee. For filing any application for the exclusive right 334  
to use a specified name under this division, the secretary of 335  
state shall charge and collect the fee specified in division (S) 336

(1) of section 111.16 of the Revised Code unless the fee is 337  
waived under the veterans fee waiver program under sections 338  
5903.21 to 5903.25 of the Revised Code. For each filing of a 339  
transfer of the right to an exclusive name under this division, 340  
the secretary of state shall charge and collect the fee 341  
specified in division (S) (4) of section 111.16 of the Revised 342  
Code. 343

(E) Any business trust that has not made the filings 344  
described under section 1746.04 of the Revised Code may submit 345  
to the secretary of state a written application for the 346  
exclusive right to use a specified name as the name of such 347  
business trust. If the secretary of state finds that, under this 348  
section, the specified name is available for such use, the 349  
secretary of state shall indorse the secretary of state's 350  
approval upon and file such application and, from the date of 351  
such indorsement, such applicant has the exclusive right to use 352  
the specified name for the period that it transacts business. 353  
The right so obtained may be transferred by the applicant or 354  
other holder thereof by the filing in the office of the 355  
secretary of state of a written transfer stating the name and 356  
address of the transferee. For filing an application for the 357  
exclusive right to use a specified name under this division, the 358  
secretary of state shall charge and collect the fee specified in 359  
division (S) (1) of section 111.16 of the Revised Code unless the 360  
fee is waived under the veterans fee waiver program under 361  
sections 5903.21 to 5903.25 of the Revised Code. 362

**Sec. 1782.63.** (A) (1) Each limited partnership existing 363  
prior to July 1, 1994, and each foreign limited partnership 364  
registered pursuant to sections 1782.49 and 1782.50 of the 365  
Revised Code prior to that date shall file, on a form prescribed 366  
by the secretary of state, a certificate of limited partnership 367

and an application for registration as a foreign limited 368  
partnership, respectively, with the secretary of state as 369  
follows: 370

(a) Each limited partnership with a name beginning with 371  
the letter A, B, C, D, E, or F shall so file with the secretary 372  
of state on or before June 30, 1995; 373

(b) Each limited partnership with a name beginning with 374  
the letter G, H, I, J, K, L, or M shall so file with the 375  
secretary of state on or before December 31, 1995; 376

(c) Each limited partnership with a name beginning with 377  
the letter N, O, P, Q, R, or S shall so file with the secretary 378  
of state on or before June 30, 1996; 379

(d) Each limited partnership with a name beginning with 380  
the letter T, U, V, W, X, Y, or Z shall so file with the 381  
secretary of state on or before December 31, 1996; 382

(e) If a limited partnership's name begins with a 383  
character other than a letter of the English alphabet, the first 384  
letter of the English alphabet that appears in the limited 385  
partnership's name shall be considered the beginning of its name 386  
for purposes of divisions (A) (1) (a) to (d) of this section and 387  
the limited partnership shall so file with the secretary of 388  
state in accordance with the applicable provision of divisions 389  
(A) (1) (a) to (d) of this section. 390

(2) Any limited partnership that files a certificate of 391  
limited partnership or an application for registration as a 392  
foreign limited partnership is subject to the payment of filing 393  
fees in accordance with division (G) of section 111.16 of the 394  
Revised Code unless the fee is waived under the veterans fee 395  
waiver program under sections 5903.21 to 5903.25 of the Revised 396

<u>Code.</u>	397
(3) A limited partnership that is required by divisions	398
(A) (1) (a) to (e) of this section to file any document with the	399
secretary of state and that has not done so by the time required	400
for the filing may not maintain any action, suit, or proceeding	401
in any court of this state until it has filed the required	402
document. The failure of a limited partnership to make the	403
required filing does not impair the validity of any contract or	404
act of the limited partnership or prevent it from defending any	405
action, suit, or proceeding in any court of this state. A	406
limited partner of a limited partnership is not liable as a	407
general partner of the limited partnership or otherwise liable	408
for obligations of the partnership solely by reason of the	409
partnership having transacted business in this state without	410
making the filing required by divisions (A) (1) (a) to (e) of this	411
section.	412
(B) If a surviving domestic limited partnership that has	413
not filed a certificate of limited partnership pursuant to	414
division (A) of this section results from a merger on and after	415
July 1, 1994, the partnership shall include a copy of its	416
certificate of limited partnership with its certificate of	417
merger or consolidation filed pursuant to section 1782.433 of	418
the Revised Code. Upon filing of the certificate of limited	419
partnership in accordance with this division, the surviving	420
domestic limited partnership shall be deemed to be in compliance	421
with division (A) of this section.	422
(C) A limited partnership that is formed under this	423
chapter or governed by this chapter pursuant to section 1782.61	424
of the Revised Code and that is in existence on July 1, 1994,	425
shall be governed by this chapter, as amended by the act in	426

which this section was enacted, except that the amendments to 427  
section 1782.28 of the Revised Code made by that act and the 428  
repeal of section 1782.38 of the Revised Code by that act shall 429  
not affect the rights of any person who extended credit to a 430  
limited partnership prior to July 1, 1994, but only to the 431  
extent of credit extended before such date. 432

(D) The amendments to this chapter made by the act in 433  
which this section was enacted do not affect a claim, action, or 434  
proceeding that is accrued, existing, incurred, or pending on or 435  
before July 1, 1994, but the claim, action, or proceeding may be 436  
asserted, enforced, prosecuted, or defended as if those 437  
amendments had not been made. 438

**Sec. 2305.10.** (A) Except as provided in division (C) or 439  
(E) of this section, an action based on a product liability 440  
claim and an action for bodily injury or injuring personal 441  
property shall be brought within two years after the cause of 442  
action accrues. Except as provided in divisions (B)(1), (2), 443  
(3), (4), and (5) of this section, a cause of action accrues 444  
under this division when the injury or loss to person or 445  
property occurs. 446

(B)(1) For purposes of division (A) of this section, a 447  
cause of action for bodily injury that is not described in 448  
division (B)(2), (3), (4), or (5) of this section and that is 449  
caused by exposure to hazardous or toxic chemicals, ethical 450  
drugs, or ethical medical devices accrues upon the date on which 451  
the plaintiff is informed by competent medical authority that 452  
the plaintiff has an injury that is related to the exposure, or 453  
upon the date on which by the exercise of reasonable diligence 454  
the plaintiff should have known that the plaintiff has an injury 455  
that is related to the exposure, whichever date occurs first. 456



(2) For purposes of division (A) of this section, a cause 457  
of action for bodily injury caused by exposure to chromium in 458  
any of its chemical forms accrues upon the date on which the 459  
plaintiff is informed by competent medical authority that the 460  
plaintiff has an injury that is related to the exposure, or upon 461  
the date on which by the exercise of reasonable diligence the 462  
plaintiff should have known that the plaintiff has an injury 463  
that is related to the exposure, whichever date occurs first. 464

(3) For purposes of division (A) of this section, a cause 465  
of action for bodily injury incurred by a veteran through 466  
exposure to chemical defoliants or herbicides or other causative 467  
agents, including agent orange, accrues upon the date on which 468  
the plaintiff is informed by competent medical authority that 469  
the plaintiff has an injury that is related to the exposure, or 470  
upon the date on which by the exercise of reasonable diligence 471  
the plaintiff should have known that the plaintiff has an injury 472  
that is related to the exposure, whichever date occurs first. 473

(4) For purposes of division (A) of this section, a cause 474  
of action for bodily injury caused by exposure to 475  
diethylstilbestrol or other nonsteroidal synthetic estrogens, 476  
including exposure before birth, accrues upon the date on which 477  
the plaintiff is informed by competent medical authority that 478  
the plaintiff has an injury that is related to the exposure, or 479  
upon the date on which by the exercise of reasonable diligence 480  
the plaintiff should have known that the plaintiff has an injury 481  
that is related to the exposure, whichever date occurs first. 482

(5) For purposes of division (A) of this section, a cause 483  
of action for bodily injury caused by exposure to asbestos 484  
accrues upon the date on which the plaintiff is informed by 485  
competent medical authority that the plaintiff has an injury 486

that is related to the exposure, or upon the date on which by 487  
the exercise of reasonable diligence the plaintiff should have 488  
known that the plaintiff has an injury that is related to the 489  
exposure, whichever date occurs first. 490

(C) (1) Except as otherwise provided in divisions (C) (2), 491  
(3), (4), (5), (6), and (7) of this section or in section 492  
2305.19 of the Revised Code, no cause of action based on a 493  
product liability claim shall accrue against the manufacturer or 494  
supplier of a product later than ten years from the date that 495  
the product was delivered to its first purchaser or first lessee 496  
who was not engaged in a business in which the product was used 497  
as a component in the production, construction, creation, 498  
assembly, or rebuilding of another product. 499

(2) Division (C) (1) of this section does not apply if the 500  
manufacturer or supplier of a product engaged in fraud in regard 501  
to information about the product and the fraud contributed to 502  
the harm that is alleged in a product liability claim involving 503  
that product. 504

(3) Division (C) (1) of this section does not bar an action 505  
based on a product liability claim against a manufacturer or 506  
supplier of a product who made an express, written warranty as 507  
to the safety of the product that was for a period longer than 508  
ten years and that, at the time of the accrual of the cause of 509  
action, has not expired in accordance with the terms of that 510  
warranty. 511

(4) If the cause of action relative to a product liability 512  
claim accrues during the ten-year period described in division 513  
(C) (1) of this section but less than two years prior to the 514  
expiration of that period, an action based on the product 515  
liability claim may be commenced within two years after the 516

cause of action accrues.	517
(5) If a cause of action relative to a product liability claim accrues during the ten-year period described in division (C) (1) of this section and the claimant cannot commence an action during that period due to a disability described in section 2305.16 of the Revised Code, an action based on the product liability claim may be commenced within two years after the disability is removed.	518 519 520 521 522 523 524
(6) Division (C) (1) of this section does not bar an action for bodily injury caused by exposure to asbestos if the cause of action that is the basis of the action accrues upon the date on which the plaintiff is informed by competent medical authority that the plaintiff has an injury that is related to the exposure, or upon the date on which by the exercise of reasonable diligence the plaintiff should have known that the plaintiff has an injury that is related to the exposure, whichever date occurs first.	525 526 527 528 529 530 531 532 533
(7) (a) Division (C) (1) of this section does not bar an action based on a product liability claim against a manufacturer or supplier of a product if all of the following apply:	534 535 536
(i) The action is for bodily injury.	537
(ii) The product involved is a substance or device described in division (B) (1), (2), (3), or (4) of this section.	538 539
(iii) The bodily injury results from exposure to the product during the ten-year period described in division (C) (1) of this section.	540 541 542
(b) If division (C) (7) (a) of this section applies regarding an action, the cause of action accrues upon the date on which the claimant is informed by competent medical authority	543 544 545

that the bodily injury was related to the exposure to the 546  
product, or upon the date on which by the exercise of reasonable 547  
diligence the claimant should have known that the bodily injury 548  
was related to the exposure to the product, whichever date 549  
occurs first. The action based on the product liability claim 550  
shall be commenced within two years after the cause of action 551  
accrues and shall not be commenced more than two years after the 552  
cause of action accrues. 553

(D) This section does not create a new cause of action or 554  
substantive legal right against any person involving a product 555  
liability claim. 556

(E) An action brought by a victim of childhood sexual 557  
abuse asserting any claim resulting from childhood sexual abuse, 558  
as defined in section 2305.111 of the Revised Code, shall be 559  
brought as provided in division (C) of that section. 560

(F) As used in this section: 561

(1) ~~"Agent orange," "causative agent," and "veteran" have~~ 562  
"Veteran" has the same meanings meaning as in section 5903.21 of 563  
the Revised Code. 564

(2) "Ethical drug," "ethical medical device," 565  
"manufacturer," "product," "product liability claim," and 566  
"supplier" have the same meanings as in section 2307.71 of the 567  
Revised Code. 568

(3) "Harm" means injury, death, or loss to person or 569  
property. 570

(G) This section shall be considered to be purely remedial 571  
in operation and shall be applied in a remedial manner in any 572  
civil action commenced on or after April 7, 2005, in which this 573  
section is relevant, regardless of when the cause of action 574

accrued and notwithstanding any other section of the Revised Code or prior rule of law of this state, but shall not be construed to apply to any civil action pending prior to April 7, 2005.

**Sec. 4743.04.** (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

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

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

(D) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to sections 5903.21 to 5903.25 of the Revised Code relating to the veterans fee waiver program.

**Sec. 5903.21.** As used in sections 5903.21 to 5903.25 of

the Revised Code: 604

"Armed forces" means the armed forces of the United States, including the army, navy, air force, marine corps, coast guard, or any reserve component 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. 605  
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"Document" means articles of incorporation of a domestic corporation, including designation of agent; articles of organization of a limited liability company; a registration application to become a domestic limited liability partnership; a certificate of limited partnership; an application for the exclusive right to use a name; an application to reserve a name for future use; and a trade name or fictitious name registration or report. 613  
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"License" means a license, certificate, permit, or other authorization issued or conferred by a licensing agency under which a recipient may operate a business within a profession or occupation. 621  
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"Licensing agency" means any state department, division, board, commission, agency, or other state governmental unit authorized by the Revised Code to issue a license. 625  
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"Merchant marine" includes the United States army transport service and the United States naval transport service. 628  
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"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 630  
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under honorable conditions from the armed forces or who has been 633  
transferred to the reserve with evidence of satisfactory 634  
service. 635

**Sec. 5903.22.** The department of veterans services shall 636  
establish and maintain the veterans fee waiver program. 637

As a function of the program, the department shall, upon 638  
receiving a request for verification from the secretary of state 639  
or a licensing agency, verify for the secretary of state or 640  
licensing agency whether or not an individual who claims a fee 641  
waiver is eligible to receive the fee waiver. The department 642  
shall respond to a request for verification within thirty days 643  
after receiving the request. 644

**Sec. 5903.23.** To be eligible to receive a fee waiver under 645  
the veterans fee waiver program, an individual shall satisfy all 646  
of the following conditions that apply to the individual: 647

(A) The individual is a resident of the state. 648

(B) The individual is a veteran and provides documentation 649  
to the secretary of state or licensing agency indicating the 650  
individual is a veteran. 651

(C) The individual has not received previously a fee 652  
waiver under the program. 653

(D) If applying for a license, the individual is applying 654  
for an initial license. 655

(E) If applying for a license, the individual is an owner 656  
of a business and is applying for a license to operate that 657  
business. 658

**Sec. 5903.24.** (A) The secretary of state shall prescribe a 659  
form on which an individual who is charged a fee under division 660

(A), (F), (G), or (S) of section 111.16 of the Revised Code may 661  
claim a fee waiver under the veterans fee waiver program. Upon 662  
receiving a form claiming eligibility for a fee waiver, the 663  
secretary of state shall request the department to verify 664  
whether the individual is eligible for a fee waiver under the 665  
program. The secretary of state shall provide to the department 666  
the documentation provided by the individual that indicates the 667  
individual is a veteran. 668

If the department verifies the individual is eligible for 669  
a fee waiver, the secretary of state shall waive the fee for the 670  
document. The amount waived by the secretary of state under this 671  
section may not exceed one hundred twenty-five dollars. 672

(B) A licensing agency shall provide, on its license 673  
application or applications, an opportunity for an individual to 674  
claim the individual is eligible to receive a fee waiver under 675  
the veterans fee waiver program. 676

After receiving an application that includes a claim of 677  
eligibility for a fee waiver, the licensing agency shall request 678  
the department of veterans services to verify whether the 679  
applicant is eligible for a fee waiver under the program. The 680  
licensing agency shall provide to the department the 681  
documentation provided by the individual that indicates the 682  
individual is a veteran. 683

If the department verifies the applicant is eligible for a 684  
fee waiver, the licensing agency shall waive the fee for the 685  
license. 686

**Sec. 5903.25.** The department of veterans services shall 687  
provide information on its web site about the veterans fee 688  
waiver program. The web site shall include a list of licenses 689



and documents for which a fee waiver may be used and shall state 690  
which licensing agency to contact to receive a fee waiver for a 691  
license, or, in the case of a document, shall direct the user to 692  
the secretary of state. 693

Each licensing agency shall provide information on its web 694  
site about the veterans fee waiver program and shall include a 695  
list of the licenses the licensing agency issues that are 696  
eligible for a fee waiver under the program. 697

The secretary of state shall provide information on its 698  
web site about the veterans fee waiver program and shall include 699  
a list of documents for which a fee waiver may be used under the 700  
program. 701

**Section 2.** That existing sections 111.16, 111.17, 1703.31, 702  
1729.12, 1746.06, 1782.63, 2305.10, and 4743.04 of the Revised 703  
Code are hereby repealed. 704