

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 12

**Senator Hoagland
Cosponsor: Senator Lang**

A BILL

To amend sections 122.87, 122.925, 125.08, 125.081, 1
and 4503.03 and to enact section 122.926 of the 2
Revised Code to establish a veteran-owned 3
business enterprise certification program and to 4
allow duly certified veteran-owned business 5
enterprises to compete for purchases set aside 6
by state agencies. 7

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

Section 1. That sections 122.87, 122.925, 125.08, 125.081, 8
and 4503.03 be amended and section 122.926 of the Revised Code 9
be enacted to read as follows: 10

Sec. 122.87. As used in sections 122.87 to 122.90 of the 11
Revised Code: 12

(A) "Surety company" means a company that is authorized by 13
the department of insurance to issue bonds as surety. 14

(B) "Minority business" means any of the following 15
occupations: 16

(1) Minority construction contractor; 17

(2) Minority seller;	18
(3) Minority service vendor.	19
(C) "Minority construction contractor" means a person who is both a construction contractor and an owner of a minority business enterprise certified under division (B) of section 122.921 of the Revised Code.	20 21 22 23
(D) "Minority seller" means a person who is both a seller of goods and an owner of a minority business enterprise listed on the special minority business enterprise bid -notification list under section 125.08 of the Revised Code.	24 25 26 27
(E) "Minority service vendor" means a person who is both a vendor of services and an owner of a minority business enterprise listed on the special minority business enterprise- bid -notification list under section 125.08 of the Revised Code.	28 29 30 31
(F) "Minority business enterprise" has the meaning given in section 122.71 of the Revised Code.	32 33
(G) "EDGE business enterprise" means a sole proprietorship, association, partnership, corporation, limited liability corporation, or joint venture certified as a participant in the encouraging diversity, growth, and equity program by the director of administrative services under section 122.922 of the Revised Code.	34 35 36 37 38 39
Sec. 122.925. (A) As used in this section <u>and section</u> <u>122.926 of the Revised Code:</u>	40 41
"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	42 43 44 45

public health service; the merchant marine service during 46
wartime; such other service as may be designated by congress; 47
and the Ohio organized militia when engaged in full-time 48
national guard duty for a period of more than thirty days. 49

"State agency" has the meaning defined in section 1.60 of 50
the Revised Code. 51

"Veteran" means any person who has completed service in 52
the armed forces, including the national guard of any state, or 53
a reserve component of the armed forces, who has been honorably 54
discharged or discharged under honorable conditions from the 55
armed forces or who has been transferred to the reserve with 56
evidence of satisfactory service. 57

"Veteran-friendly business enterprise" means a sole 58
proprietorship, association, partnership, corporation, limited 59
liability company, or joint venture that meets veteran 60
employment standards established by the director of development 61
and the director of transportation under this section. 62

(B) The director of development and the director of 63
transportation shall establish and maintain the veteran-friendly 64
business procurement program. The director of development shall 65
adopt rules to administer the program for all state agencies 66
except the department of transportation, and the director of 67
transportation shall adopt rules to administer the program for 68
the department of transportation. The rules shall be adopted 69
under Chapter 119. of the Revised Code. The rules, as adopted 70
separately by but with the greatest degree of consistency 71
possible between the two directors, shall do all of the 72
following: 73

(1) Establish criteria, based on the percentage of an 74

applicant's employees who are veterans, that qualifies an	75
applicant for certification as a veteran-friendly business	76
enterprise;	77
(2) Establish procedures by which a sole proprietorship,	78
association, partnership, corporation, limited liability	79
company, or joint venture may apply for certification as a	80
veteran-friendly business enterprise;	81
(3) Establish procedures for certifying a sole	82
proprietorship, association, partnership, corporation, limited	83
liability company, or joint venture as a veteran-friendly	84
business enterprise;	85
(4) Establish standards for determining when a veteran-	86
friendly business enterprise no longer qualifies for	87
certification as a veteran-friendly business enterprise;	88
(5) Establish procedures, to be used by state agencies or	89
the department of transportation, for the evaluation and ranking	90
of proposals, which provide preference or bonus points to each	91
certified veteran-friendly business enterprise that submits a	92
bid or other proposal for a contract with the state or an agency	93
of the state other than the department of transportation, or	94
with the department of transportation, for the rendering of	95
services, or the supplying of materials, or for the	96
construction, demolition, alteration, repair, or reconstruction	97
of any public building, structure, highway, or other	98
improvement;	99
(6) Implement an outreach program to educate potential	100
participants about the veteran-friendly business procurement	101
program; and	102
(7) Establish a process for monitoring overall performance	103

of the veteran-friendly business procurement program. 104

(C) (1) Any person who has been certified as a veteran- 105
friendly business enterprise under this section may present the 106
person's certification to a political subdivision as evidence 107
that the person is eligible to participate in any public 108
initiatives or strategies that the political subdivision has 109
established to reward veteran-friendly businesses or to increase 110
the participation, representation, or inclusion of veteran- 111
friendly businesses in business opportunities, and in any 112
programs the political subdivision may have that set aside a 113
certain amount of public contracts to award to veteran-friendly 114
business enterprises. 115

(2) When considering this evidence, a political 116
subdivision shall defer to the department's determination that 117
the person meets the criteria established under division (B) (1) 118
of this section. 119

Sec. 122.926. (A) As used in this section: 120

(1) "Veteran-owned business enterprise" means a sole 121
proprietorship, association, partnership, corporation, limited 122
liability company, or joint venture of any kind that is owned 123
and controlled by a veteran who is a United States citizen and 124
resident of this state. 125

(2) "Owned and controlled" means that at least fifty-one 126
per cent of the business enterprise, including corporate stock 127
if it is a corporation, is owned by a veteran and that such an 128
owner has control over the day-to-day operations of the business 129
and an interest in the capital, assets, and profits and losses 130
of the business proportionate to the veteran's percentage of 131
ownership. In order to qualify as a veteran-owned business 132

enterprise, a business enterprise shall have been owned by a 133
veteran for at least one year. 134

(B) The director of development shall adopt rules in 135
accordance with Chapter 119. of the Revised Code to do all of 136
the following: 137

(1) Establish procedures by which a business enterprise 138
may apply for certification as a veteran-owned business 139
enterprise; 140

(2) Establish standards to determine when a veteran-owned 141
business enterprise no longer qualifies for veteran-owned 142
business enterprise certification; 143

(3) Establish a process to mediate complaints and to 144
review veteran-owned business enterprise certification appeals; 145

(4) Establish a system to assist state agencies in 146
identifying and utilizing veteran-owned business enterprises in 147
their contracting processes; 148

(5) Implement a system of self-reporting by veteran-owned 149
business enterprises as well as an on-site inspection process to 150
validate the qualifications of veteran-owned business 151
enterprises. 152

(C) Business and personal financial information and trade 153
secrets submitted by veteran-owned business enterprise 154
applicants to the director pursuant to this section are not 155
public records for purposes of section 149.43 of the Revised 156
Code, unless the director presents the financial information or 157
trade secrets at a public hearing or public proceeding regarding 158
the applicant's eligibility to participate in the program. 159

Sec. 125.08. (A) Any person who is certified by the 160

director of development in accordance with the rules adopted 161
under division (B) (1) of section 122.921 of the Revised Code as 162
a minority business enterprise may have that person's name 163
placed on a special ~~minority business enterprise~~ notification 164
list to be used in connection with contracts awarded under 165
section 125.081 of the Revised Code. The ~~minority business-~~ 166
~~enterprise~~ special notification list shall be used for bidding 167
on contracts set aside for ~~minority business enterprises-~~ 168
~~only persons specified in division (A) of section 125.081 of the~~ 169
Revised Code. 170

(B) Any person who is certified by the director of 171
development in accordance with the rules adopted under division 172
(B) of section 122.926 of the Revised Code as a veteran-owned 173
business enterprise may have that person's name placed on the 174
special notification list described in division (A) of this 175
section. 176

Sec. 125.081. (A) As used in this section, "disadvantaged 177
business enterprise" means a person certified by the director of 178
development under division (B) of section 122.921 of the Revised 179
Code or division (B) of section 122.926 of the Revised Code. 180

(B) From the purchases that the department of 181
administrative services is required by law to make through 182
competitive selection, the director of administrative services 183
shall select a number of such purchases, the aggregate value of 184
which equals approximately ~~fifteen~~ twenty per cent of the 185
estimated total value of all such purchases to be made in the 186
current fiscal year. The director shall set aside the purchases 187
selected for competition only by ~~minority business enterprises,~~ 188
~~as defined in division (E) (1) of section 122.71 of the Revised-~~ 189
~~Code~~ disadvantaged business enterprises. The competitive 190

selection procedures for such purchases set aside shall be the 191
same as for all other purchases the department is required to 192
make through competitive selection, except that only ~~minority~~ 193
~~business enterprises certified by the director of development in~~ 194
~~accordance with the rules adopted under division (B) (1) of~~ 195
~~section 122.921 of the Revised Code and the persons~~ listed under 196
section 125.08 of the Revised Code shall be qualified to 197
compete. Of the purchases selected by the director for 198
competition only by disadvantaged business enterprises, only a 199
person certified by the director of development under division 200
(B) of section 122.921 of the Revised Code shall be qualified to 201
compete for seventy-five per cent of such purchases. Only a 202
person certified by the director of development under division 203
(B) of section 122.926 of the Revised Code shall be qualified to 204
compete for the remaining twenty-five per cent of such 205
purchases. 206

~~(B)~~ (C) To the extent that any agency of the state, other 207
than the department of administrative services, the legislative 208
and judicial branches, boards of elections, and the adjutant 209
general, is authorized to make purchases, the agency shall set 210
aside a number of purchases, the aggregate value of which equals 211
approximately ~~fifteen~~ twenty per cent of the aggregate value of 212
such purchases for the current fiscal year for competition by 213
~~minority business enterprises persons listed under section~~ 214
125.08 of the Revised Code only. The procedures for such 215
purchases shall be the same as for all other such purchases made 216
by the agency, except that only ~~minority business enterprises~~ 217
~~certified by the director of development in accordance with~~ 218
~~rules adopted under division (B) (1) of section 123.151 persons~~ 219
listed under section 125.08 of the Revised Code shall be 220
qualified to compete. Of the purchases selected for competition 221

only by disadvantaged business enterprises under this division, 222
only a person certified by the director of development under 223
division (B) of section 122.921 of the Revised Code shall be 224
qualified to compete for seventy-five per cent of such 225
purchases. Only a person certified by the director of 226
development under division (B) of section 122.926 of the Revised 227
Code shall be qualified to compete for the remaining twenty-five 228
per cent of such purchases. 229

~~(C)~~(D) In the case of purchases set aside under division 230
~~(A)~~(B) or ~~(B)~~(C) of this section, if no bid is submitted by a 231
~~minority disadvantaged~~ business enterprise, the purchase shall 232
be made according to usual procedures. The contracting agency 233
shall from time to time set aside such additional purchases for 234
which only ~~minority disadvantaged~~ business enterprises may 235
compete, as are necessary to replace those purchases previously 236
set aside for which no ~~minority disadvantaged~~ business 237
enterprises bid and to ensure that, in any fiscal year, the 238
aggregate amount of contracts awarded to ~~minority disadvantaged~~ 239
business enterprises will equal approximately ~~fifteen~~twenty per 240
cent of the total amount of contracts awarded by the agency. 241

~~(D)~~(E) The provisions of this section shall not preclude 242
any ~~minority disadvantaged~~ business enterprise from competing 243
for any other state purchases that are not specifically set 244
aside for ~~minority disadvantaged~~ business enterprises. 245

~~(E)~~(F) No funds of any state agency shall be expended in 246
any fiscal year for any purchase for which competitive selection 247
is required, until the director of the department of 248
administrative services certifies to the clerk of the senate and 249
the clerk of the house of representatives of the general 250
assembly that approximately ~~fifteen~~twenty per cent of the 251

aggregate amount of the projected expenditure for such purchases 252
in the fiscal year has been set aside as provided for in this 253
section. 254

~~(F)~~ (G) Any person who intentionally misrepresents self as 255
owning, controlling, operating, or participating in a ~~minority~~ 256
disadvantaged business enterprise for the purpose of obtaining 257
contracts, subcontracts, or any other benefits under this 258
section shall be guilty of theft by deception as provided for in 259
section 2913.02 of the Revised Code. 260

Sec. 4503.03. (A) (1) (a) Except as provided in division (B) 261
of this section, the registrar of motor vehicles may designate 262
one or more of the following persons to act as a deputy 263
registrar in each county: 264

(i) The county auditor in any county, subject to division 265
(A) (1) (b) (i) of this section; 266

(ii) The clerk of a court of common pleas in any county, 267
subject to division (A) (1) (b) (ii) of this section; 268

(iii) An individual; 269

(iv) A nonprofit corporation as defined in division (C) of 270
section 1702.01 of the Revised Code. 271

(b) (i) If the population of a county is forty thousand or 272
less according to the most recent federal decennial census and 273
if the county auditor is designated by the registrar as a deputy 274
registrar, no other person need be designated in the county to 275
act as a deputy registrar. 276

(ii) The registrar may designate a clerk of a court of 277
common pleas as a deputy registrar if the population of the 278
county is forty thousand or less according to the last federal 279

census. In a county with a population greater than forty 280
thousand but not more than fifty thousand according to the last 281
federal census, the clerk of a court of common pleas is eligible 282
to act as a deputy registrar and may participate in the 283
competitive selection process for the award of a deputy 284
registrar contract by applying in the same manner as any other 285
person. All fees collected and retained by a clerk for 286
conducting deputy registrar services shall be paid into the 287
county treasury to the credit of the certificate of title 288
administration fund created under section 325.33 of the Revised 289
Code. 290

Notwithstanding the county population restrictions in 291
division (A)(1)(b) of this section, if no person applies to act 292
under contract as a deputy registrar in a county and the county 293
auditor is not designated as a deputy registrar, the registrar 294
may ask the clerk of a court of common pleas to serve as the 295
deputy registrar for that county. 296

(c) As part of the selection process in awarding a deputy 297
registrar contract, the registrar shall consider the customer 298
service performance record of any person previously awarded a 299
deputy registrar contract pursuant to division (A)(1) of this 300
section. 301

(2) Deputy registrars shall accept applications for the 302
annual license tax for any vehicle not taxed under section 303
4503.63 of the Revised Code and shall assign distinctive numbers 304
in the same manner as the registrar. Such deputies shall be 305
located in such locations in the county as the registrar sees 306
fit. There shall be at least one deputy registrar in each 307
county. 308

Deputy registrar contracts are subject to the provisions 309

of division ~~(B)~~(C) of section 125.081 of the Revised Code. 310

(B) (1) The registrar shall not designate any person to act 311
as a deputy registrar under division (A) (1) of this section if 312
the person or, where applicable, the person's spouse or a member 313
of the person's immediate family has made, within the current 314
calendar year or any one of the previous three calendar years, 315
one or more contributions totaling in excess of one hundred 316
dollars to any person or entity included in division (A) (2) of 317
section 4503.033 of the Revised Code. As used in this division, 318
"immediate family" has the same meaning as in division (D) of 319
section 102.01 of the Revised Code, and "entity" includes any 320
political party and any "continuing association" as defined in 321
division (C) (4) of section 3517.01 of the Revised Code or 322
"political action committee" as defined in division (C) (8) of 323
that section that is primarily associated with that political 324
party. For purposes of this division, contributions to any 325
continuing association or any political action committee that is 326
primarily associated with a political party shall be aggregated 327
with contributions to that political party. 328

The contribution limitations contained in this division do 329
not apply to any county auditor or clerk of a court of common 330
pleas. A county auditor or clerk of a court of common pleas is 331
not required to file the disclosure statement or pay the filing 332
fee required under section 4503.033 of the Revised Code. The 333
limitations of this division also do not apply to a deputy 334
registrar who, subsequent to being awarded a deputy registrar 335
contract, is elected to an office of a political subdivision. 336

(2) The registrar shall not designate either of the 337
following to act as a deputy registrar: 338

(a) Any elected public official other than a county 339

auditor or, as authorized by division (A) (1) (b) of this section, 340
a clerk of a court of common pleas, acting in an official 341
capacity, except that, the registrar shall continue and may 342
renew a contract with any deputy registrar who, subsequent to 343
being awarded a deputy registrar contract, is elected to an 344
office of a political subdivision; 345

(b) Any person holding a current, valid contract to 346
conduct motor vehicle inspections under section 3704.14 of the 347
Revised Code. 348

(3) As used in division (B) of this section, "political 349
subdivision" has the same meaning as in section 3501.01 of the 350
Revised Code. 351

(C) (1) Except as provided in division (C) (2) of this 352
section, deputy registrars are independent contractors and 353
neither they nor their employees are employees of this state, 354
except that nothing in this section shall affect the status of 355
county auditors or clerks of courts of common pleas as public 356
officials, nor the status of their employees as employees of any 357
of the counties of this state, which are political subdivisions 358
of this state. Each deputy registrar shall be responsible for 359
the payment of all unemployment compensation premiums, all 360
workers' compensation premiums, social security contributions, 361
and any and all taxes for which the deputy registrar is legally 362
responsible. Each deputy registrar shall comply with all 363
applicable federal, state, and local laws requiring the 364
withholding of income taxes or other taxes from the compensation 365
of the deputy registrar's employees. Each deputy registrar shall 366
maintain during the entire term of the deputy registrar's 367
contract a policy of business liability insurance satisfactory 368
to the registrar and shall hold the department of public safety, 369

the director of public safety, the bureau of motor vehicles, and 370
the registrar harmless upon any and all claims for damages 371
arising out of the operation of the deputy registrar agency. 372

(2) For purposes of Chapter 4141. of the Revised Code, 373
determinations concerning the employment of deputy registrars 374
and their employees shall be made under Chapter 4141. of the 375
Revised Code. 376

(D) (1) With the approval of the director, the registrar 377
shall adopt rules governing deputy registrars. The rules shall 378
do all of the following: 379

(a) Establish requirements governing the terms of the 380
contract between the registrar and each deputy registrar and the 381
services to be performed; 382

(b) Establish requirements governing the amount of bond to 383
be given as provided in this section; 384

(c) Establish requirements governing the size and location 385
of the deputy's office; 386

(d) Establish requirements governing the leasing of 387
equipment necessary to conduct the vision screenings required 388
under section 4507.12 of the Revised Code and training in the 389
use of the equipment; 390

(e) Encourage every deputy registrar to inform the public 391
of the location of the deputy registrar's office and hours of 392
operation by means of public service announcements; 393

(f) Allow any deputy registrar to advertise in regard to 394
the operation of the deputy registrar's office, including 395
allowing nonprofit corporations operating as a deputy registrar 396
to advertise that a specified amount of proceeds collected by 397

the nonprofit corporation are directed to a specified charitable organization or philanthropic cause; 398
399

(g) Specify the hours the deputy's office is to be open to the public and require as a minimum that one deputy's office in each county be open to the public for at least four hours each weekend, provided that if only one deputy's office is located within the boundary of the county seat, that office is the office that shall be open for the four-hour period each weekend; 400
401
402
403
404
405

(h) Specify that every deputy registrar, upon request, provide any person with information about the location and office hours of all deputy registrars in the county; 406
407
408

(i) Allow a deputy registrar contract to be awarded to a nonprofit corporation formed under the laws of this state; 409
410

(j) Except as provided in division (D) (2) of this section, prohibit any deputy registrar from operating more than one deputy registrar's office at any time; 411
412
413

(k) For the duration of any deputy registrar contract, require that the deputy registrar occupy a primary residence in a location that is within a one-hour commute time from the deputy registrar's office or offices. The rules shall require the registrar to determine commute time by using multiple established internet-based mapping services. 414
415
416
417
418
419

(l) Establish procedures for a deputy registrar to request the authority to collect reinstatement fees under sections 4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, and 4511.191 of the Revised Code and to transmit the reinstatement fees and two dollars of the service fee collected under those sections. The registrar shall ensure that at least one deputy registrar in each county has the necessary equipment 420
421
422
423
424
425
426

and is able to accept reinstatement fees. The registrar shall 427
deposit the service fees received from a deputy registrar under 428
those sections into the public safety - highway purposes fund 429
created in section 4501.06 of the Revised Code and shall use the 430
money for deputy registrar equipment necessary in connection 431
with accepting reinstatement fees. 432

(m) Establish standards for a deputy registrar, when the 433
deputy registrar is not a county auditor or a clerk of a court 434
of common pleas, to sell advertising rights to third party 435
businesses to be placed in the deputy registrar's office; 436

(n) Allow any deputy registrar that is not a county 437
auditor or a clerk of a court of common pleas to operate a 438
vending machine; 439

(o) Establish such other requirements as the registrar and 440
director consider necessary to provide a high level of service. 441

(2) Notwithstanding division (D)(1)(j) of this section, 442
the rules may allow both of the following: 443

(a) The registrar to award a contract to a deputy 444
registrar to operate more than one deputy registrar's office if 445
determined by the registrar to be practical; 446

(b) A nonprofit corporation formed for the purposes of 447
providing automobile-related services to its members or the 448
public and that provides such services from more than one 449
location in this state to operate a deputy registrar office at 450
any location. 451

(3) As a daily adjustment, the bureau of motor vehicles 452
shall credit to a deputy registrar the amount established under 453
section 4503.038 of the Revised Code for each damaged license 454
plate or validation sticker the deputy registrar replaces as a 455

service to a member of the public. 456

(4) (a) With the prior approval of the registrar, each 457
deputy registrar may conduct at the location of the deputy 458
registrar's office any business that is consistent with the 459
functions of a deputy registrar and that is not specifically 460
mandated or authorized by this or another chapter of the Revised 461
Code or by implementing rules of the registrar. 462

(b) In accordance with guidelines the director of public 463
safety shall establish, a deputy registrar may operate or 464
contract for the operation of a vending machine at a deputy 465
registrar location if products of the vending machine are 466
consistent with the functions of a deputy registrar. 467

(c) A deputy registrar may enter into an agreement with 468
the Ohio turnpike and infrastructure commission pursuant to 469
division (A) (11) of section 5537.04 of the Revised Code for the 470
purpose of allowing the general public to acquire from the 471
deputy registrar the electronic toll collection devices that are 472
used under the multi-jurisdiction electronic toll collection 473
agreement between the Ohio turnpike and infrastructure 474
commission and any other entities or agencies that participate 475
in such an agreement. The approval of the registrar is not 476
necessary if a deputy registrar engages in this activity. 477

(5) As used in this section and in section 4507.01 of the 478
Revised Code, "nonprofit corporation" has the same meaning as in 479
section 1702.01 of the Revised Code. 480

(E) (1) Unless otherwise terminated and except for interim 481
contracts lasting not longer than one year, contracts with 482
deputy registrars shall be entered into through a competitive 483
selection process and shall be limited in duration as follows: 484

(a) For contracts entered into between July 1, 1996 and 485
June 29, 2014, for a period of not less than two years, but not 486
more than three years; 487

(b) For contracts entered into on or after June 29, 2014, 488
for a period of five years, unless the registrar determines that 489
a shorter contract term is appropriate for a particular deputy 490
registrar. 491

(2) All contracts with deputy registrars shall expire on 492
the last Saturday of June in the year of their expiration. Prior 493
to the expiration of any deputy registrar contract, the 494
registrar, with the approval of the director, may award a one- 495
year contract extension to any deputy registrar who has provided 496
exemplary service based upon objective performance evaluations. 497

(3) (a) The auditor of state may examine the accounts, 498
reports, systems, and other data of each deputy registrar at 499
least every two years. The registrar, with the approval of the 500
director, shall immediately remove a deputy who violates any 501
provision of the Revised Code related to the duties as a deputy, 502
any rule adopted by the registrar, or a term of the deputy's 503
contract with the registrar. The registrar also may remove a 504
deputy who, in the opinion of the registrar, has engaged in any 505
conduct that is either unbecoming to one representing this state 506
or is inconsistent with the efficient operation of the deputy's 507
office. 508

(b) If the registrar, with the approval of the director, 509
determines that there is good cause to believe that a deputy 510
registrar or a person proposing for a deputy registrar contract 511
has engaged in any conduct that would require the denial or 512
termination of the deputy registrar contract, the registrar may 513
require the production of books, records, and papers as the 514

registrar determines are necessary, and may take the depositions 515
of witnesses residing within or outside the state in the same 516
manner as is prescribed by law for the taking of depositions in 517
civil actions in the court of common pleas, and for that purpose 518
the registrar may issue a subpoena for any witness or a subpoena 519
duces tecum to compel the production of any books, records, or 520
papers, directed to the sheriff of the county where the witness 521
resides or is found. Such a subpoena shall be served and 522
returned in the same manner as a subpoena in a criminal case is 523
served and returned. The fees of the sheriff shall be the same 524
as that allowed in the court of common pleas in criminal cases. 525
Witnesses shall be paid the fees and mileage provided for under 526
section 119.094 of the Revised Code. The fees and mileage shall 527
be paid from the fund in the state treasury for the use of the 528
agency in the same manner as other expenses of the agency are 529
paid. 530

In any case of disobedience or neglect of any subpoena 531
served on any person or the refusal of any witness to testify to 532
any matter regarding which the witness lawfully may be 533
interrogated, the court of common pleas of any county where the 534
disobedience, neglect, or refusal occurs or any judge of that 535
court, on application by the registrar, shall compel obedience 536
by attachment proceedings for contempt, as in the case of 537
disobedience of the requirements of a subpoena issued from that 538
court, or a refusal to testify in that court. 539

(4) Nothing in division (E) of this section shall be 540
construed to require a hearing of any nature prior to the 541
termination of any deputy registrar contract by the registrar, 542
with the approval of the director, for cause. 543

(F) Except as provided in section 2743.03 of the Revised 544

Code, no court, other than the court of common pleas of Franklin 545
county, has jurisdiction of any action against the department of 546
public safety, the director, the bureau, or the registrar to 547
restrain the exercise of any power or authority, or to entertain 548
any action for declaratory judgment, in the selection and 549
appointment of, or contracting with, deputy registrars. Neither 550
the department, the director, the bureau, nor the registrar is 551
liable in any action at law for damages sustained by any person 552
because of any acts of the department, the director, the bureau, 553
or the registrar, or of any employee of the department or 554
bureau, in the performance of official duties in the selection 555
and appointment of, and contracting with, deputy registrars. 556

(G) The registrar shall assign to each deputy registrar a 557
series of numbers sufficient to supply the demand at all times 558
in the area the deputy registrar serves, and the registrar shall 559
keep a record in the registrar's office of the numbers within 560
the series assigned. Except as otherwise provided in section 561
3.061 of the Revised Code, each deputy shall be required to give 562
bond in the amount of at least twenty-five thousand dollars, or 563
in such higher amount as the registrar determines necessary, 564
based on a uniform schedule of bond amounts established by the 565
registrar and determined by the volume of registrations handled 566
by the deputy. The form of the bond shall be prescribed by the 567
registrar. The bonds required of deputy registrars, in the 568
discretion of the registrar, may be individual or schedule bonds 569
or may be included in any blanket bond coverage carried by the 570
department. 571

(H) Each deputy registrar shall keep a file of each 572
application received by the deputy and shall register that motor 573
vehicle with the name and address of its owner. 574

(I) Upon request, a deputy registrar shall make the physical inspection of a motor vehicle and issue the physical inspection certificate required in section 4505.061 of the Revised Code.

(J) Each deputy registrar shall file a report semiannually with the registrar of motor vehicles listing the number of applicants for licenses the deputy has served, the number of voter registration applications the deputy has completed and transmitted to the board of elections, and the number of voter registration applications declined.

Section 2. That existing sections 122.87, 122.925, 125.08, 125.081, and 4503.03 of the Revised Code are hereby repealed.