

**As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Am. Sub. S. B. No. 6**

**Senators Coley, Hottinger**

**Cosponsors: Senators Hoagland, Schuring, Antonio, Brenner, Burke, Craig, Dolan, Eklund, Fedor, Gavarone, Hill, Huffman, M., Huffman, S., Kunze, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Rulli, Sykes, Terhar, Thomas, Uecker, Williams, Wilson, Yuko**

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**A BILL**

To amend sections 109.572, 2151.421, and 5103.02 1  
and to enact sections 2151.90, 2151.901, 2 2151.902, 2151.903, 2151.904, 2151.906, 3 2151.907, 2151.908, 2151.909, and 2151.9010 of 4 the Revised Code and to amend section 109.572 of 5 the Revised Code, effective September 20, 2019, 6 to regulate temporary child hosting with host 7 families. 8

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

**Section 1.** That sections 109.572, 2151.421, and 5103.02 be 9 amended and sections 2151.90, 2151.901, 2151.902, 2151.903, 10 2151.904, 2151.906, 2151.907, 2151.908, 2151.909, and 2151.9010 11 of the Revised Code be enacted to read as follows: 12

**Sec. 109.572.** (A) (1) Upon receipt of a request pursuant to 13 section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 14 Code, a completed form prescribed pursuant to division (C) (1) of 15 this section, and a set of fingerprint impressions obtained in 16

the manner described in division (C) (2) of this section, the  
superintendent of the bureau of criminal identification and  
investigation shall conduct a criminal records check in the  
manner described in division (B) of this section to determine  
whether any information exists that indicates that the person  
who is the subject of the request previously has been convicted  
of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03,  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34,  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05,  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23,  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323,  
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24,  
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04,  
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious  
sexual penetration in violation of former section 2907.12 of the  
Revised Code, a violation of section 2905.04 of the Revised Code  
as it existed prior to July 1, 1996, a violation of section  
2919.23 of the Revised Code that would have been a violation of  
section 2905.04 of the Revised Code as it existed prior to July  
1, 1996, had the violation been committed prior to that date, or  
a violation of section 2925.11 of the Revised Code that is not a  
minor drug possession offense;

(b) A violation of an existing or former law of this  
state, any other state, or the United States that is  
substantially equivalent to any of the offenses listed in  
division (A) (1) (a) of this section;

(c) If the request is made pursuant to section 3319.39 of  
the Revised Code for an applicant who is a teacher, any offense  
specified in section 3319.31 of the Revised Code.

(2) On receipt of a request pursuant to section 3712.09 or 47  
3721.121 of the Revised Code, a completed form prescribed 48  
pursuant to division (C)(1) of this section, and a set of 49  
fingerprint impressions obtained in the manner described in 50  
division (C)(2) of this section, the superintendent of the 51  
bureau of criminal identification and investigation shall 52  
conduct a criminal records check with respect to any person who 53  
has applied for employment in a position for which a criminal 54  
records check is required by those sections. The superintendent 55  
shall conduct the criminal records check in the manner described 56  
in division (B) of this section to determine whether any 57  
information exists that indicates that the person who is the 58  
subject of the request previously has been convicted of or 59  
pleaded guilty to any of the following: 60

(a) A violation of section 2903.01, 2903.02, 2903.03, 61  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 62  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 63  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 64  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 65  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 66  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 67  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 68  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 69

(b) An existing or former law of this state, any other 70  
state, or the United States that is substantially equivalent to 71  
any of the offenses listed in division (A)(2)(a) of this 72  
section. 73

(3) On receipt of a request pursuant to section 173.27, 74  
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 75  
5123.081, or 5123.169 of the Revised Code, a completed form 76

prescribed pursuant to division (C)(1) of this section, and a 77  
set of fingerprint impressions obtained in the manner described 78  
in division (C)(2) of this section, the superintendent of the 79  
bureau of criminal identification and investigation shall 80  
conduct a criminal records check of the person for whom the 81  
request is made. The superintendent shall conduct the criminal 82  
records check in the manner described in division (B) of this 83  
section to determine whether any information exists that 84  
indicates that the person who is the subject of the request 85  
previously has been convicted of, has pleaded guilty to, or 86  
(except in the case of a request pursuant to section 5164.34,  
5164.341, or 5164.342 of the Revised Code) has been found 87  
eligible for intervention in lieu of conviction for any of the 88  
following, regardless of the date of the conviction, the date of 89  
entry of the guilty plea, or (except in the case of a request 90  
pursuant to section 5164.34, 5164.341, or 5164.342 of the 91  
Revised Code) the date the person was found eligible for 92  
intervention in lieu of conviction: 93  
94

(a) A violation of section 959.13, 959.131, 2903.01, 95  
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 96  
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 97  
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 98  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 99  
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 100  
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 101  
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 102  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 103  
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 104  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 105  
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 106  
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 107

2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321,	108
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123,	109
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02,	110
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11,	111
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36,	112
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;	113
(b) Felonious sexual penetration in violation of former	114
section 2907.12 of the Revised Code;	115
(c) A violation of section 2905.04 of the Revised Code as	116
it existed prior to July 1, 1996;	117
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	118
the Revised Code when the underlying offense that is the object	119
of the conspiracy, attempt, or complicity is one of the offenses	120
listed in divisions (A) (3) (a) to (c) of this section;	121
(e) A violation of an existing or former municipal	122
ordinance or law of this state, any other state, or the United	123
States that is substantially equivalent to any of the offenses	124
listed in divisions (A) (3) (a) to (d) of this section.	125
(4) On receipt of a request pursuant to section 2151.86 <u>or</u>	126
<u>2151.904</u> of the Revised Code, a completed form prescribed	127
pursuant to division (C) (1) of this section, and a set of	128
fingerprint impressions obtained in the manner described in	129
division (C) (2) of this section, the superintendent of the	130
bureau of criminal identification and investigation shall	131
conduct a criminal records check in the manner described in	132
division (B) of this section to determine whether any	133
information exists that indicates that the person who is the	134
subject of the request previously has been convicted of or	135
pleaded guilty to any of the following:	136

(a) A violation of section 959.13, 2903.01, 2903.02, 137  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 138  
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 139  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 140  
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 141  
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 142  
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 143  
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 144  
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 145  
2927.12, or 3716.11 of the Revised Code, a violation of section 146  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 147  
a violation of section 2919.23 of the Revised Code that would 148  
have been a violation of section 2905.04 of the Revised Code as 149  
it existed prior to July 1, 1996, had the violation been 150  
committed prior to that date, a violation of section 2925.11 of 151  
the Revised Code that is not a minor drug possession offense, 152  
two or more OVI or OVUAC violations committed within the three 153  
years immediately preceding the submission of the application or 154  
petition that is the basis of the request, or felonious sexual 155  
penetration in violation of former section 2907.12 of the 156  
Revised Code; 157

(b) A violation of an existing or former law of this 158  
state, any other state, or the United States that is 159  
substantially equivalent to any of the offenses listed in 160  
division (A) (4) (a) of this section. 161

(5) Upon receipt of a request pursuant to section 5104.013 162  
of the Revised Code, a completed form prescribed pursuant to 163  
division (C) (1) of this section, and a set of fingerprint 164  
impressions obtained in the manner described in division (C) (2) 165  
of this section, the superintendent of the bureau of criminal 166  
identification and investigation shall conduct a criminal 167

records check in the manner described in division (B) of this 168  
section to determine whether any information exists that 169  
indicates that the person who is the subject of the request has 170  
been convicted of or pleaded guilty to any of the following: 171

(a) A violation of section 2151.421, 2903.01, 2903.02, 172  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 173  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 174  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 175  
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 176  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 177  
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 178  
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 179  
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 180  
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 181  
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 182  
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 183  
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 184  
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 185  
3716.11 of the Revised Code, felonious sexual penetration in 186  
violation of former section 2907.12 of the Revised Code, a 187  
violation of section 2905.04 of the Revised Code as it existed 188  
prior to July 1, 1996, a violation of section 2919.23 of the 189  
Revised Code that would have been a violation of section 2905.04 190  
of the Revised Code as it existed prior to July 1, 1996, had the 191  
violation been committed prior to that date, a violation of 192  
section 2925.11 of the Revised Code that is not a minor drug 193  
possession offense, a violation of section 2923.02 or 2923.03 of 194  
the Revised Code that relates to a crime specified in this 195  
division, or a second violation of section 4511.19 of the 196  
Revised Code within five years of the date of application for 197  
licensure or certification. 198

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses or violations described in division (A) (5) (a) of this section.

(6) Upon receipt of a request pursuant to section 5153.111 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;



(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A) (6) (a) of this section.

(7) On receipt of a request for a criminal records check from an individual pursuant to section 4749.03 or 4749.06 of the Revised Code, accompanied by a completed copy of the form prescribed in division (C) (1) of this section and a set of fingerprint impressions obtained in a manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists indicating that the person who is the subject of the request has been convicted of or pleaded guilty to a felony in this state or in any other state. If the individual indicates that a firearm will be carried in the course of business, the superintendent shall require information from the federal bureau of investigation as described in division (B) (2) of this section. Subject to division (F) of this section, the superintendent shall report the findings of the criminal records check and any information the federal bureau of investigation provides to the director of public safety.

(8) On receipt of a request pursuant to section 1321.37, 1321.53, or 4763.05 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for a license, permit, or certification from the

department of commerce or a division in the department. The 261  
superintendent shall conduct the criminal records check in the 262  
manner described in division (B) of this section to determine 263  
whether any information exists that indicates that the person 264  
who is the subject of the request previously has been convicted 265  
of or pleaded guilty to any of the following: a violation of 266  
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 267  
Revised Code; any other criminal offense involving theft, 268  
receiving stolen property, embezzlement, forgery, fraud, passing 269  
bad checks, money laundering, or drug trafficking, or any 270  
criminal offense involving money or securities, as set forth in 271  
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 272  
the Revised Code; or any existing or former law of this state, 273  
any other state, or the United States that is substantially 274  
equivalent to those offenses. 275

(9) On receipt of a request for a criminal records check 276  
from the treasurer of state under section 113.041 of the Revised 277  
Code or from an individual under section 4701.08, 4715.101, 278  
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 279  
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 280  
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 281  
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 282  
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 283  
4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 284  
4779.091, or 4783.04 of the Revised Code, accompanied by a 285  
completed form prescribed under division (C)(1) of this section 286  
and a set of fingerprint impressions obtained in the manner 287  
described in division (C)(2) of this section, the superintendent 288  
of the bureau of criminal identification and investigation shall 289  
conduct a criminal records check in the manner described in 290  
division (B) of this section to determine whether any 291

information exists that indicates that the person who is the 292  
subject of the request has been convicted of or pleaded guilty 293  
to any criminal offense in this state or any other state. 294  
Subject to division (F) of this section, the superintendent 295  
shall send the results of a check requested under section 296  
113.041 of the Revised Code to the treasurer of state and shall 297  
send the results of a check requested under any of the other 298  
listed sections to the licensing board specified by the 299  
individual in the request. 300

(10) On receipt of a request pursuant to section 124.74, 301  
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 302  
completed form prescribed pursuant to division (C)(1) of this 303  
section, and a set of fingerprint impressions obtained in the 304  
manner described in division (C)(2) of this section, the 305  
superintendent of the bureau of criminal identification and 306  
investigation shall conduct a criminal records check in the 307  
manner described in division (B) of this section to determine 308  
whether any information exists that indicates that the person 309  
who is the subject of the request previously has been convicted 310  
of or pleaded guilty to any criminal offense under any existing 311  
or former law of this state, any other state, or the United 312  
States. 313

(11) On receipt of a request for a criminal records check 314  
from an appointing or licensing authority under section 3772.07 315  
of the Revised Code, a completed form prescribed under division 316  
(C)(1) of this section, and a set of fingerprint impressions 317  
obtained in the manner prescribed in division (C)(2) of this 318  
section, the superintendent of the bureau of criminal 319  
identification and investigation shall conduct a criminal 320  
records check in the manner described in division (B) of this 321  
section to determine whether any information exists that 322

indicates that the person who is the subject of the request 323  
previously has been convicted of or pleaded guilty or no contest 324  
to any offense under any existing or former law of this state, 325  
any other state, or the United States that is a disqualifying 326  
offense as defined in section 3772.07 of the Revised Code or 327  
substantially equivalent to such an offense. 328

(12) On receipt of a request pursuant to section 2151.33 329  
or 2151.412 of the Revised Code, a completed form prescribed 330  
pursuant to division (C)(1) of this section, and a set of 331  
fingerprint impressions obtained in the manner described in 332  
division (C)(2) of this section, the superintendent of the 333  
bureau of criminal identification and investigation shall 334  
conduct a criminal records check with respect to any person for 335  
whom a criminal records check is required under that section. 336  
The superintendent shall conduct the criminal records check in 337  
the manner described in division (B) of this section to 338  
determine whether any information exists that indicates that the 339  
person who is the subject of the request previously has been 340  
convicted of or pleaded guilty to any of the following: 341

(a) A violation of section 2903.01, 2903.02, 2903.03, 342  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 343  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 344  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 345  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 346  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 347  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 348  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 349  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 350

(b) An existing or former law of this state, any other 351  
state, or the United States that is substantially equivalent to 352

any of the offenses listed in division (A) (12) (a) of this 353  
section. 354

(13) On receipt of a request pursuant to section 3796.12 355  
of the Revised Code, a completed form prescribed pursuant to 356  
division (C) (1) of this section, and a set of fingerprint 357  
impressions obtained in a manner described in division (C) (2) of 358  
this section, the superintendent of the bureau of criminal 359  
identification and investigation shall conduct a criminal 360  
records check in the manner described in division (B) of this 361  
section to determine whether any information exists that 362  
indicates that the person who is the subject of the request 363  
previously has been convicted of or pleaded guilty to the 364  
following: 365

(a) A disqualifying offense as specified in rules adopted 366  
under division (B) (2) (b) of section 3796.03 of the Revised Code 367  
if the person who is the subject of the request is an 368  
administrator or other person responsible for the daily 369  
operation of, or an owner or prospective owner, officer or 370  
prospective officer, or board member or prospective board member 371  
of, an entity seeking a license from the department of commerce 372  
under Chapter 3796. of the Revised Code; 373

(b) A disqualifying offense as specified in rules adopted 374  
under division (B) (2) (b) of section 3796.04 of the Revised Code 375  
if the person who is the subject of the request is an 376  
administrator or other person responsible for the daily 377  
operation of, or an owner or prospective owner, officer or 378  
prospective officer, or board member or prospective board member 379  
of, an entity seeking a license from the state board of pharmacy 380  
under Chapter 3796. of the Revised Code. 381

(14) On receipt of a request required by section 3796.13 382

of the Revised Code, a completed form prescribed pursuant to 383  
division (C) (1) of this section, and a set of fingerprint 384  
impressions obtained in a manner described in division (C) (2) of 385  
this section, the superintendent of the bureau of criminal 386  
identification and investigation shall conduct a criminal 387  
records check in the manner described in division (B) of this 388  
section to determine whether any information exists that 389  
indicates that the person who is the subject of the request 390  
previously has been convicted of or pleaded guilty to the 391  
following: 392

(a) A disqualifying offense as specified in rules adopted 393  
under division (B) (8) (a) of section 3796.03 of the Revised Code 394  
if the person who is the subject of the request is seeking 395  
employment with an entity licensed by the department of commerce 396  
under Chapter 3796. of the Revised Code; 397

(b) A disqualifying offense as specified in rules adopted 398  
under division (B) (14) (a) of section 3796.04 of the Revised Code 399  
if the person who is the subject of the request is seeking 400  
employment with an entity licensed by the state board of 401  
pharmacy under Chapter 3796. of the Revised Code. 402

(15) On receipt of a request pursuant to section 4768.06 403  
of the Revised Code, a completed form prescribed under division 404  
(C) (1) of this section, and a set of fingerprint impressions 405  
obtained in the manner described in division (C) (2) of this 406  
section, the superintendent of the bureau of criminal 407  
identification and investigation shall conduct a criminal 408  
records check in the manner described in division (B) of this 409  
section to determine whether any information exists indicating 410  
that the person who is the subject of the request has been 411  
convicted of or pleaded guilty to a felony in this state or in 412

any other state. 413

(16) On receipt of a request pursuant to division (B) of 414  
section 4764.07 of the Revised Code, a completed form prescribed 415  
under division (C)(1) of this section, and a set of fingerprint 416  
impressions obtained in the manner described in division (C)(2) 417  
of this section, the superintendent of the bureau of criminal 418  
identification and investigation shall conduct a criminal 419  
records check in the manner described in division (B) of this 420  
section to determine whether any information exists indicating 421  
that the person who is the subject of the request has been 422  
convicted of or pleaded guilty to any crime of moral turpitude, 423  
a felony, or an equivalent offense in any other state or the 424  
United States. 425

(B) Subject to division (F) of this section, the 426  
superintendent shall conduct any criminal records check to be 427  
conducted under this section as follows: 428

(1) The superintendent shall review or cause to be 429  
reviewed any relevant information gathered and compiled by the 430  
bureau under division (A) of section 109.57 of the Revised Code 431  
that relates to the person who is the subject of the criminal 432  
records check, including, if the criminal records check was 433  
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 434  
173.381, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 435  
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 436  
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 437  
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 438  
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 439  
the Revised Code, any relevant information contained in records 440  
that have been sealed under section 2953.32 of the Revised Code; 441

(2) If the request received by the superintendent asks for 442

information from the federal bureau of investigation, the 443  
superintendent shall request from the federal bureau of 444  
investigation any information it has with respect to the person 445  
who is the subject of the criminal records check, including 446  
fingerprint-based checks of national crime information databases 447  
as described in 42 U.S.C. 671 if the request is made pursuant to 448  
section 2151.86 or 5104.013 of the Revised Code or if any other 449  
Revised Code section requires fingerprint-based checks of that 450  
nature, and shall review or cause to be reviewed any information 451  
the superintendent receives from that bureau. If a request under 452  
section 3319.39 of the Revised Code asks only for information 453  
from the federal bureau of investigation, the superintendent 454  
shall not conduct the review prescribed by division (B) (1) of 455  
this section. 456

(3) The superintendent or the superintendent's designee 457  
may request criminal history records from other states or the 458  
federal government pursuant to the national crime prevention and 459  
privacy compact set forth in section 109.571 of the Revised 460  
Code. 461

(4) The superintendent shall include in the results of the 462  
criminal records check a list or description of the offenses 463  
listed or described in division (A) (1), (2), (3), (4), (5), (6), 464  
(7), (8), (9), (10), (11), (12), (13), (14), (15), or (16) of 465  
this section, whichever division requires the superintendent to 466  
conduct the criminal records check. The superintendent shall 467  
exclude from the results any information the dissemination of 468  
which is prohibited by federal law. 469

(5) The superintendent shall send the results of the 470  
criminal records check to the person to whom it is to be sent 471  
not later than the following number of days after the date the 472



superintendent receives the request for the criminal records 473  
check, the completed form prescribed under division (C) (1) of 474  
this section, and the set of fingerprint impressions obtained in 475  
the manner described in division (C) (2) of this section: 476

(a) If the superintendent is required by division (A) of 477  
this section (other than division (A) (3) of this section) to 478  
conduct the criminal records check, thirty; 479

(b) If the superintendent is required by division (A) (3) 480  
of this section to conduct the criminal records check, sixty. 481

(C) (1) The superintendent shall prescribe a form to obtain 482  
the information necessary to conduct a criminal records check 483  
from any person for whom a criminal records check is to be 484  
conducted under this section. The form that the superintendent 485  
prescribes pursuant to this division may be in a tangible 486  
format, in an electronic format, or in both tangible and 487  
electronic formats. 488

(2) The superintendent shall prescribe standard impression 489  
sheets to obtain the fingerprint impressions of any person for 490  
whom a criminal records check is to be conducted under this 491  
section. Any person for whom a records check is to be conducted 492  
under this section shall obtain the fingerprint impressions at a 493  
county sheriff's office, municipal police department, or any 494  
other entity with the ability to make fingerprint impressions on 495  
the standard impression sheets prescribed by the superintendent. 496  
The office, department, or entity may charge the person a 497  
reasonable fee for making the impressions. The standard 498  
impression sheets the superintendent prescribes pursuant to this 499  
division may be in a tangible format, in an electronic format, 500  
or in both tangible and electronic formats. 501

(3) Subject to division (D) of this section, the superintendent shall prescribe and charge a reasonable fee for providing a criminal records check under this section. The person requesting the criminal records check shall pay the fee prescribed pursuant to this division. In the case of a request under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the fee shall be paid in the manner specified in that section.

(4) The superintendent of the bureau of criminal identification and investigation may prescribe methods of forwarding fingerprint impressions and information necessary to conduct a criminal records check, which methods shall include, but not be limited to, an electronic method.

(D) The results of a criminal records check conducted under this section, other than a criminal records check specified in division (A)(7) of this section, are valid for the person who is the subject of the criminal records check for a period of one year from the date upon which the superintendent completes the criminal records check. If during that period the superintendent receives another request for a criminal records check to be conducted under this section for that person, the superintendent shall provide the results from the previous criminal records check of the person at a lower fee than the fee prescribed for the initial criminal records check.

(E) When the superintendent receives a request for information from a registered private provider, the superintendent shall proceed as if the request was received from a school district board of education under section 3319.39 of the Revised Code. The superintendent shall apply division (A)(1)(c) of this section to any such request for an applicant who is

a teacher. 532

(F) (1) Subject to division (F) (2) of this section, all 533  
information regarding the results of a criminal records check 534  
conducted under this section that the superintendent reports or 535  
sends under division (A) (7) or (9) of this section to the 536  
director of public safety, the treasurer of state, or the 537  
person, board, or entity that made the request for the criminal 538  
records check shall relate to the conviction of the subject 539  
person, or the subject person's plea of guilty to, a criminal 540  
offense. 541

(2) Division (F) (1) of this section does not limit, 542  
restrict, or preclude the superintendent's release of 543  
information that relates to the arrest of a person who is 544  
eighteen years of age or older, to an adjudication of a child as 545  
a delinquent child, or to a criminal conviction of a person 546  
under eighteen years of age in circumstances in which a release 547  
of that nature is authorized under division (E) (2), (3), or (4) 548  
of section 109.57 of the Revised Code pursuant to a rule adopted 549  
under division (E) (1) of that section. 550

(G) As used in this section: 551

(1) "Criminal records check" means any criminal records 552  
check conducted by the superintendent of the bureau of criminal 553  
identification and investigation in accordance with division (B) 554  
of this section. 555

(2) "Minor drug possession offense" has the same meaning 556  
as in section 2925.01 of the Revised Code. 557

(3) "OVI or OVUAC violation" means a violation of section 558  
4511.19 of the Revised Code or a violation of an existing or 559  
former law of this state, any other state, or the United States 560

that is substantially equivalent to section 4511.19 of the Revised Code.

(4) "Registered private provider" means a nonpublic school or entity registered with the superintendent of public instruction under section 3310.41 of the Revised Code to participate in the autism scholarship program or section 3310.58 of the Revised Code to participate in the Jon Peterson special needs scholarship program.

**Sec. 2151.421.** (A) (1) (a) No person described in division (A) (1) (b) of this section who is acting in an official or professional capacity and knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall fail to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in this division. Except as otherwise provided in this division or section 5120.173 of the Revised Code, the person making the report shall make it to the public children services agency or a peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. If the person making the report is a peace officer, the officer shall make it to the public children services agency in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. In the circumstances described in section 5120.173 of the Revised Code, the person making the report shall make it to the entity specified in that section.

(b) Division (A) (1) (a) of this section applies to any 592  
person who is an attorney; health care professional; 593  
practitioner of a limited branch of medicine as specified in 594  
section 4731.15 of the Revised Code; licensed school 595  
psychologist; independent marriage and family therapist or 596  
marriage and family therapist; coroner; administrator or 597  
employee of a child day-care center; administrator or employee 598  
of a residential camp, child day camp, or private, nonprofit 599  
therapeutic wilderness camp; administrator or employee of a 600  
certified child care agency or other public or private children 601  
services agency; school teacher; school employee; school 602  
authority; peace officer; agent of a county humane society; 603  
person, other than a cleric, rendering spiritual treatment 604  
through prayer in accordance with the tenets of a well- 605  
recognized religion; employee of a county department of job and 606  
family services who is a professional and who works with 607  
children and families; superintendent or regional administrator 608  
employed by the department of youth services; superintendent, 609  
board member, or employee of a county board of developmental 610  
disabilities; investigative agent contracted with by a county 611  
board of developmental disabilities; employee of the department 612  
of developmental disabilities; employee of a facility or home 613  
that provides respite care in accordance with section 5123.171 614  
of the Revised Code; employee of an entity that provides 615  
homemaker services; employee of a qualified organization as 616  
defined in section 2151.90 of the Revised Code; a person 617  
performing the duties of an assessor pursuant to Chapter 3107. 618  
or 5103. of the Revised Code; third party employed by a public 619  
children services agency to assist in providing child or family 620  
related services; court appointed special advocate; or guardian 621  
ad litem. 622

(c) If two or more health care professionals, after 623  
providing health care services to a child, determine or suspect 624  
that the child has been or is being abused or neglected, the 625  
health care professionals may designate one of the health care 626  
professionals to report the abuse or neglect. A single report 627  
made under this division shall meet the reporting requirements 628  
of division (A) (1) of this section. 629

(2) Except as provided in division (A) (3) of this section, 630  
an attorney or a physician is not required to make a report 631  
pursuant to division (A) (1) of this section concerning any 632  
communication the attorney or physician receives from a client 633  
or patient in an attorney-client or physician-patient 634  
relationship, if, in accordance with division (A) or (B) of 635  
section 2317.02 of the Revised Code, the attorney or physician 636  
could not testify with respect to that communication in a civil 637  
or criminal proceeding. 638

(3) The client or patient in an attorney-client or 639  
physician-patient relationship described in division (A) (2) of 640  
this section is deemed to have waived any testimonial privilege 641  
under division (A) or (B) of section 2317.02 of the Revised Code 642  
with respect to any communication the attorney or physician 643  
receives from the client or patient in that attorney-client or 644  
physician-patient relationship, and the attorney or physician 645  
shall make a report pursuant to division (A) (1) of this section 646  
with respect to that communication, if all of the following 647  
apply: 648

(a) The client or patient, at the time of the 649  
communication, is a child under eighteen years of age or is a 650  
person under twenty-one years of age with a developmental 651  
disability or physical impairment. 652

(b) The attorney or physician knows, or has reasonable 653  
cause to suspect based on facts that would cause a reasonable 654  
person in similar position to suspect that the client or patient 655  
has suffered or faces a threat of suffering any physical or 656  
mental wound, injury, disability, or condition of a nature that 657  
reasonably indicates abuse or neglect of the client or patient. 658

(c) The abuse or neglect does not arise out of the 659  
client's or patient's attempt to have an abortion without the 660  
notification of her parents, guardian, or custodian in 661  
accordance with section 2151.85 of the Revised Code. 662

(4) (a) No cleric and no person, other than a volunteer, 663  
designated by any church, religious society, or faith acting as 664  
a leader, official, or delegate on behalf of the church, 665  
religious society, or faith who is acting in an official or 666  
professional capacity, who knows, or has reasonable cause to 667  
believe based on facts that would cause a reasonable person in a 668  
similar position to believe, that a child under eighteen years 669  
of age, or a person under twenty-one years of age with a 670  
developmental disability or physical impairment, has suffered or 671  
faces a threat of suffering any physical or mental wound, 672  
injury, disability, or condition of a nature that reasonably 673  
indicates abuse or neglect of the child, and who knows, or has 674  
reasonable cause to believe based on facts that would cause a 675  
reasonable person in a similar position to believe, that another 676  
cleric or another person, other than a volunteer, designated by 677  
a church, religious society, or faith acting as a leader, 678  
official, or delegate on behalf of the church, religious 679  
society, or faith caused, or poses the threat of causing, the 680  
wound, injury, disability, or condition that reasonably 681  
indicates abuse or neglect shall fail to immediately report that 682  
knowledge or reasonable cause to believe to the entity or 683

persons specified in this division. Except as provided in 684  
section 5120.173 of the Revised Code, the person making the 685  
report shall make it to the public children services agency or a 686  
peace officer in the county in which the child resides or in 687  
which the abuse or neglect is occurring or has occurred. In the 688  
circumstances described in section 5120.173 of the Revised Code, 689  
the person making the report shall make it to the entity 690  
specified in that section. 691

(b) Except as provided in division (A) (4) (c) of this 692  
section, a cleric is not required to make a report pursuant to 693  
division (A) (4) (a) of this section concerning any communication 694  
the cleric receives from a penitent in a cleric-penitent 695  
relationship, if, in accordance with division (C) of section 696  
2317.02 of the Revised Code, the cleric could not testify with 697  
respect to that communication in a civil or criminal proceeding. 698

(c) The penitent in a cleric-penitent relationship 699  
described in division (A) (4) (b) of this section is deemed to 700  
have waived any testimonial privilege under division (C) of 701  
section 2317.02 of the Revised Code with respect to any 702  
communication the cleric receives from the penitent in that 703  
cleric-penitent relationship, and the cleric shall make a report 704  
pursuant to division (A) (4) (a) of this section with respect to 705  
that communication, if all of the following apply: 706

(i) The penitent, at the time of the communication, is a 707  
child under eighteen years of age or is a person under twenty- 708  
one years of age with a developmental disability or physical 709  
impairment. 710

(ii) The cleric knows, or has reasonable cause to believe 711  
based on facts that would cause a reasonable person in a similar 712  
position to believe, as a result of the communication or any 713



observations made during that communication, the penitent has 714  
suffered or faces a threat of suffering any physical or mental 715  
wound, injury, disability, or condition of a nature that 716  
reasonably indicates abuse or neglect of the penitent. 717

(iii) The abuse or neglect does not arise out of the 718  
penitent's attempt to have an abortion performed upon a child 719  
under eighteen years of age or upon a person under twenty-one 720  
years of age with a developmental disability or physical 721  
impairment without the notification of her parents, guardian, or 722  
custodian in accordance with section 2151.85 of the Revised 723  
Code. 724

(d) Divisions (A) (4) (a) and (c) of this section do not 725  
apply in a cleric-penitent relationship when the disclosure of 726  
any communication the cleric receives from the penitent is in 727  
violation of the sacred trust. 728

(e) As used in divisions (A) (1) and (4) of this section, 729  
"cleric" and "sacred trust" have the same meanings as in section 730  
2317.02 of the Revised Code. 731

(B) Anyone who knows, or has reasonable cause to suspect 732  
based on facts that would cause a reasonable person in similar 733  
circumstances to suspect, that a child under eighteen years of 734  
age, or a person under twenty-one years of age with a 735  
developmental disability or physical impairment, has suffered or 736  
faces a threat of suffering any physical or mental wound, 737  
injury, disability, or other condition of a nature that 738  
reasonably indicates abuse or neglect of the child may report or 739  
cause reports to be made of that knowledge or reasonable cause 740  
to suspect to the entity or persons specified in this division. 741  
Except as provided in section 5120.173 of the Revised Code, a 742  
person making a report or causing a report to be made under this 743

division shall make it or cause it to be made to the public 744  
children services agency or to a peace officer. In the 745  
circumstances described in section 5120.173 of the Revised Code, 746  
a person making a report or causing a report to be made under 747  
this division shall make it or cause it to be made to the entity 748  
specified in that section. 749

(C) Any report made pursuant to division (A) or (B) of 750  
this section shall be made forthwith either by telephone or in 751  
person and shall be followed by a written report, if requested 752  
by the receiving agency or officer. The written report shall 753  
contain: 754

(1) The names and addresses of the child and the child's 755  
parents or the person or persons having custody of the child, if 756  
known; 757

(2) The child's age and the nature and extent of the 758  
child's injuries, abuse, or neglect that is known or reasonably 759  
suspected or believed, as applicable, to have occurred or of the 760  
threat of injury, abuse, or neglect that is known or reasonably 761  
suspected or believed, as applicable, to exist, including any 762  
evidence of previous injuries, abuse, or neglect; 763

(3) Any other information, including, but not limited to, 764  
results and reports of any medical examinations, tests, or 765  
procedures performed under division (D) of this section, that 766  
might be helpful in establishing the cause of the injury, abuse, 767  
or neglect that is known or reasonably suspected or believed, as 768  
applicable, to have occurred or of the threat of injury, abuse, 769  
or neglect that is known or reasonably suspected or believed, as 770  
applicable, to exist. 771

(D) (1) Any person, who is required by division (A) of this 772

section to report child abuse or child neglect that is known or 773  
reasonably suspected or believed to have occurred, may take or 774  
cause to be taken color photographs of areas of trauma visible 775  
on a child and, if medically necessary for the purpose of 776  
diagnosing or treating injuries that are suspected to have 777  
occurred as a result of child abuse or child neglect, perform or 778  
cause to be performed radiological examinations and any other 779  
medical examinations of, and tests or procedures on, the child. 780

(2) The results and any available reports of examinations, 781  
tests, or procedures made under division (D)(1) of this section 782  
shall be included in a report made pursuant to division (A) of 783  
this section. Any additional reports of examinations, tests, or 784  
procedures that become available shall be provided to the public 785  
children services agency, upon request. 786

(3) If a health care professional provides health care 787  
services in a hospital, children's advocacy center, or emergency 788  
medical facility to a child about whom a report has been made 789  
under division (A) of this section, the health care professional 790  
may take any steps that are reasonably necessary for the release 791  
or discharge of the child to an appropriate environment. Before 792  
the child's release or discharge, the health care professional 793  
may obtain information, or consider information obtained, from 794  
other entities or individuals that have knowledge about the 795  
child. Nothing in division (D)(3) of this section shall be 796  
construed to alter the responsibilities of any person under 797  
sections 2151.27 and 2151.31 of the Revised Code. 798

(4) A health care professional may conduct medical 799  
examinations, tests, or procedures on the siblings of a child 800  
about whom a report has been made under division (A) of this 801  
section and on other children who reside in the same home as the 802

child, if the professional determines that the examinations, 803  
tests, or procedures are medically necessary to diagnose or 804  
treat the siblings or other children in order to determine 805  
whether reports under division (A) of this section are warranted 806  
with respect to such siblings or other children. The results of 807  
the examinations, tests, or procedures on the siblings and other 808  
children may be included in a report made pursuant to division 809  
(A) of this section. 810

(5) Medical examinations, tests, or procedures conducted 811  
under divisions (D) (1) and (4) of this section and decisions 812  
regarding the release or discharge of a child under division (D) 813  
(3) of this section do not constitute a law enforcement 814  
investigation or activity. 815

(E) (1) When a peace officer receives a report made 816  
pursuant to division (A) or (B) of this section, upon receipt of 817  
the report, the peace officer who receives the report shall 818  
refer the report to the appropriate public children services 819  
agency, unless an arrest is made at the time of the report that 820  
results in the appropriate public children services agency being 821  
contacted concerning the possible abuse or neglect of a child or 822  
the possible threat of abuse or neglect of a child. 823

(2) When a public children services agency receives a 824  
report pursuant to this division or division (A) or (B) of this 825  
section, upon receipt of the report, the public children 826  
services agency shall do both of the following: 827

(a) Comply with section 2151.422 of the Revised Code; 828

(b) If the county served by the agency is also served by a 829  
children's advocacy center and the report alleges sexual abuse 830  
of a child or another type of abuse of a child that is specified 831

in the memorandum of understanding that creates the center as 832  
being within the center's jurisdiction, comply regarding the 833  
report with the protocol and procedures for referrals and 834  
investigations, with the coordinating activities, and with the 835  
authority or responsibility for performing or providing 836  
functions, activities, and services stipulated in the 837  
interagency agreement entered into under section 2151.428 of the 838  
Revised Code relative to that center. 839

(F) No peace officer shall remove a child about whom a 840  
report is made pursuant to this section from the child's 841  
parents, stepparents, or guardian or any other persons having 842  
custody of the child without consultation with the public 843  
children services agency, unless, in the judgment of the 844  
officer, and, if the report was made by physician, the 845  
physician, immediate removal is considered essential to protect 846  
the child from further abuse or neglect. The agency that must be 847  
consulted shall be the agency conducting the investigation of 848  
the report as determined pursuant to section 2151.422 of the 849  
Revised Code. 850

(G) (1) Except as provided in section 2151.422 of the 851  
Revised Code or in an interagency agreement entered into under 852  
section 2151.428 of the Revised Code that applies to the 853  
particular report, the public children services agency shall 854  
investigate, within twenty-four hours, each report of child 855  
abuse or child neglect that is known or reasonably suspected or 856  
believed to have occurred and of a threat of child abuse or 857  
child neglect that is known or reasonably suspected or believed 858  
to exist that is referred to it under this section to determine 859  
the circumstances surrounding the injuries, abuse, or neglect or 860  
the threat of injury, abuse, or neglect, the cause of the 861  
injuries, abuse, neglect, or threat, and the person or persons 862

responsible. The investigation shall be made in cooperation with 863  
the law enforcement agency and in accordance with the memorandum 864  
of understanding prepared under division (K) of this section. A 865  
representative of the public children services agency shall, at 866  
the time of initial contact with the person subject to the 867  
investigation, inform the person of the specific complaints or 868  
allegations made against the person. The information shall be 869  
given in a manner that is consistent with division (I)(1) of 870  
this section and protects the rights of the person making the 871  
report under this section. 872

A failure to make the investigation in accordance with the 873  
memorandum is not grounds for, and shall not result in, the 874  
dismissal of any charges or complaint arising from the report or 875  
the suppression of any evidence obtained as a result of the 876  
report and does not give, and shall not be construed as giving, 877  
any rights or any grounds for appeal or post-conviction relief 878  
to any person. The public children services agency shall report 879  
each case to the uniform statewide automated child welfare 880  
information system that the department of job and family 881  
services shall maintain in accordance with section 5101.13 of 882  
the Revised Code. The public children services agency shall 883  
submit a report of its investigation, in writing, to the law 884  
enforcement agency. 885

(2) The public children services agency shall make any 886  
recommendations to the county prosecuting attorney or city 887  
director of law that it considers necessary to protect any 888  
children that are brought to its attention. 889

(H)(1)(a) Except as provided in divisions (H)(1)(b) and 890  
(I)(3) of this section, any person, health care professional, 891  
hospital, institution, school, health department, or agency 892

shall be immune from any civil or criminal liability for injury, 893  
death, or loss to person or property that otherwise might be 894  
incurred or imposed as a result of any of the following: 895

(i) Participating in the making of reports pursuant to 896  
division (A) of this section or in the making of reports in good 897  
faith, pursuant to division (B) of this section; 898

(ii) Participating in medical examinations, tests, or 899  
procedures under division (D) of this section; 900

(iii) Providing information used in a report made pursuant 901  
to division (A) of this section or providing information in good 902  
faith used in a report made pursuant to division (B) of this 903  
section; 904

(iv) Participating in a judicial proceeding resulting from 905  
a report made pursuant to division (A) of this section or 906  
participating in good faith in a proceeding resulting from a 907  
report made pursuant to division (B) of this section. 908

(b) Immunity under division (H) (1) (a) (ii) of this section 909  
shall not apply when a health care provider has deviated from 910  
the standard of care applicable to the provider's profession. 911

(c) Notwithstanding section 4731.22 of the Revised Code, 912  
the physician-patient privilege shall not be a ground for 913  
excluding evidence regarding a child's injuries, abuse, or 914  
neglect, or the cause of the injuries, abuse, or neglect in any 915  
judicial proceeding resulting from a report submitted pursuant 916  
to this section. 917

(2) In any civil or criminal action or proceeding in which 918  
it is alleged and proved that participation in the making of a 919  
report under this section was not in good faith or participation 920  
in a judicial proceeding resulting from a report made under this 921

section was not in good faith, the court shall award the 922  
prevailing party reasonable attorney's fees and costs and, if a 923  
civil action or proceeding is voluntarily dismissed, may award 924  
reasonable attorney's fees and costs to the party against whom 925  
the civil action or proceeding is brought. 926

(I) (1) Except as provided in divisions (I) (4) and (O) of 927  
this section, a report made under this section is confidential. 928  
The information provided in a report made pursuant to this 929  
section and the name of the person who made the report shall not 930  
be released for use, and shall not be used, as evidence in any 931  
civil action or proceeding brought against the person who made 932  
the report. Nothing in this division shall preclude the use of 933  
reports of other incidents of known or suspected abuse or 934  
neglect in a civil action or proceeding brought pursuant to 935  
division (N) of this section against a person who is alleged to 936  
have violated division (A) (1) of this section, provided that any 937  
information in a report that would identify the child who is the 938  
subject of the report or the maker of the report, if the maker 939  
of the report is not the defendant or an agent or employee of 940  
the defendant, has been redacted. In a criminal proceeding, the 941  
report is admissible in evidence in accordance with the Rules of 942  
Evidence and is subject to discovery in accordance with the 943  
Rules of Criminal Procedure. 944

(2) (a) Except as provided in division (I) (2) (b) of this 945  
section, no person shall permit or encourage the unauthorized 946  
dissemination of the contents of any report made under this 947  
section. 948

(b) A health care professional that obtains the same 949  
information contained in a report made under this section from a 950  
source other than the report may disseminate the information, if 951



its dissemination is otherwise permitted by law. 952

(3) A person who knowingly makes or causes another person 953  
to make a false report under division (B) of this section that 954  
alleges that any person has committed an act or omission that 955  
resulted in a child being an abused child or a neglected child 956  
is guilty of a violation of section 2921.14 of the Revised Code. 957

(4) If a report is made pursuant to division (A) or (B) of 958  
this section and the child who is the subject of the report dies 959  
for any reason at any time after the report is made, but before 960  
the child attains eighteen years of age, the public children 961  
services agency or peace officer to which the report was made or 962  
referred, on the request of the child fatality review board or 963  
the director of health pursuant to guidelines established under 964  
section 3701.70 of the Revised Code, shall submit a summary 965  
sheet of information providing a summary of the report to the 966  
review board of the county in which the deceased child resided 967  
at the time of death or to the director. On the request of the 968  
review board or director, the agency or peace officer may, at 969  
its discretion, make the report available to the review board or 970  
director. If the county served by the public children services 971  
agency is also served by a children's advocacy center and the 972  
report of alleged sexual abuse of a child or another type of 973  
abuse of a child is specified in the memorandum of understanding 974  
that creates the center as being within the center's 975  
jurisdiction, the agency or center shall perform the duties and 976  
functions specified in this division in accordance with the 977  
interagency agreement entered into under section 2151.428 of the 978  
Revised Code relative to that advocacy center. 979

(5) A public children services agency shall advise a 980  
person alleged to have inflicted abuse or neglect on a child who 981

is the subject of a report made pursuant to this section, 982  
including a report alleging sexual abuse of a child or another 983  
type of abuse of a child referred to a children's advocacy 984  
center pursuant to an interagency agreement entered into under 985  
section 2151.428 of the Revised Code, in writing of the 986  
disposition of the investigation. The agency shall not provide 987  
to the person any information that identifies the person who 988  
made the report, statements of witnesses, or police or other 989  
investigative reports. 990

(J) Any report that is required by this section, other 991  
than a report that is made to the state highway patrol as 992  
described in section 5120.173 of the Revised Code, shall result 993  
in protective services and emergency supportive services being 994  
made available by the public children services agency on behalf 995  
of the children about whom the report is made, in an effort to 996  
prevent further neglect or abuse, to enhance their welfare, and, 997  
whenever possible, to preserve the family unit intact. The 998  
agency required to provide the services shall be the agency 999  
conducting the investigation of the report pursuant to section 1000  
2151.422 of the Revised Code. 1001

(K) (1) Each public children services agency shall prepare 1002  
a memorandum of understanding that is signed by all of the 1003  
following: 1004

(a) If there is only one juvenile judge in the county, the 1005  
juvenile judge of the county or the juvenile judge's 1006  
representative; 1007

(b) If there is more than one juvenile judge in the 1008  
county, a juvenile judge or the juvenile judges' representative 1009  
selected by the juvenile judges or, if they are unable to do so 1010  
for any reason, the juvenile judge who is senior in point of 1011

service or the senior juvenile judge's representative;	1012
(c) The county peace officer;	1013
(d) All chief municipal peace officers within the county;	1014
(e) Other law enforcement officers handling child abuse and neglect cases in the county;	1015 1016
(f) The prosecuting attorney of the county;	1017
(g) If the public children services agency is not the county department of job and family services, the county department of job and family services;	1018 1019 1020
(h) The county humane society;	1021
(i) If the public children services agency participated in the execution of a memorandum of understanding under section 2151.426 of the Revised Code establishing a children's advocacy center, each participating member of the children's advocacy center established by the memorandum.	1022 1023 1024 1025 1026
(2) A memorandum of understanding shall set forth the normal operating procedure to be employed by all concerned officials in the execution of their respective responsibilities under this section and division (C) of section 2919.21, division (B) (1) of section 2919.22, division (B) of section 2919.23, and section 2919.24 of the Revised Code and shall have as two of its primary goals the elimination of all unnecessary interviews of children who are the subject of reports made pursuant to division (A) or (B) of this section and, when feasible, providing for only one interview of a child who is the subject of any report made pursuant to division (A) or (B) of this section. A failure to follow the procedure set forth in the memorandum by the concerned officials is not grounds for, and	1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039

shall not result in, the dismissal of any charges or complaint 1040  
arising from any reported case of abuse or neglect or the 1041  
suppression of any evidence obtained as a result of any reported 1042  
child abuse or child neglect and does not give, and shall not be 1043  
construed as giving, any rights or any grounds for appeal or 1044  
post-conviction relief to any person. 1045

(3) A memorandum of understanding shall include all of the 1046  
following: 1047

(a) The roles and responsibilities for handling emergency 1048  
and nonemergency cases of abuse and neglect; 1049

(b) Standards and procedures to be used in handling and 1050  
coordinating investigations of reported cases of child abuse and 1051  
reported cases of child neglect, methods to be used in 1052  
interviewing the child who is the subject of the report and who 1053  
allegedly was abused or neglected, and standards and procedures 1054  
addressing the categories of persons who may interview the child 1055  
who is the subject of the report and who allegedly was abused or 1056  
neglected. 1057

(4) If a public children services agency participated in 1058  
the execution of a memorandum of understanding under section 1059  
2151.426 of the Revised Code establishing a children's advocacy 1060  
center, the agency shall incorporate the contents of that 1061  
memorandum in the memorandum prepared pursuant to this section. 1062

(5) The clerk of the court of common pleas in the county 1063  
may sign the memorandum of understanding prepared under division 1064  
(K)(1) of this section. If the clerk signs the memorandum of 1065  
understanding, the clerk shall execute all relevant 1066  
responsibilities as required of officials specified in the 1067  
memorandum. 1068

(L) (1) Except as provided in division (L) (4) or (5) of 1069  
this section, a person who is required to make a report pursuant 1070  
to division (A) of this section may make a reasonable number of 1071  
requests of the public children services agency that receives or 1072  
is referred the report, or of the children's advocacy center 1073  
that is referred the report if the report is referred to a 1074  
children's advocacy center pursuant to an interagency agreement 1075  
entered into under section 2151.428 of the Revised Code, to be 1076  
provided with the following information: 1077

(a) Whether the agency or center has initiated an 1078  
investigation of the report; 1079

(b) Whether the agency or center is continuing to 1080  
investigate the report; 1081

(c) Whether the agency or center is otherwise involved 1082  
with the child who is the subject of the report; 1083

(d) The general status of the health and safety of the 1084  
child who is the subject of the report; 1085

(e) Whether the report has resulted in the filing of a 1086  
complaint in juvenile court or of criminal charges in another 1087  
court. 1088

(2) A person may request the information specified in 1089  
division (L) (1) of this section only if, at the time the report 1090  
is made, the person's name, address, and telephone number are 1091  
provided to the person who receives the report. 1092

When a peace officer or employee of a public children 1093  
services agency receives a report pursuant to division (A) or 1094  
(B) of this section the recipient of the report shall inform the 1095  
person of the right to request the information described in 1096  
division (L) (1) of this section. The recipient of the report 1097

shall include in the initial child abuse or child neglect report 1098  
that the person making the report was so informed and, if 1099  
provided at the time of the making of the report, shall include 1100  
the person's name, address, and telephone number in the report. 1101

Each request is subject to verification of the identity of 1102  
the person making the report. If that person's identity is 1103  
verified, the agency shall provide the person with the 1104  
information described in division (L) (1) of this section a 1105  
reasonable number of times, except that the agency shall not 1106  
disclose any confidential information regarding the child who is 1107  
the subject of the report other than the information described 1108  
in those divisions. 1109

(3) A request made pursuant to division (L) (1) of this 1110  
section is not a substitute for any report required to be made 1111  
pursuant to division (A) of this section. 1112

(4) If an agency other than the agency that received or 1113  
was referred the report is conducting the investigation of the 1114  
report pursuant to section 2151.422 of the Revised Code, the 1115  
agency conducting the investigation shall comply with the 1116  
requirements of division (L) of this section. 1117

(5) A health care professional who made a report under 1118  
division (A) of this section, or on whose behalf such a report 1119  
was made as provided in division (A) (1) (c) of this section, may 1120  
authorize a person to obtain the information described in 1121  
division (L) (1) of this section if the person requesting the 1122  
information is associated with or acting on behalf of the health 1123  
care professional who provided health care services to the child 1124  
about whom the report was made. 1125

(M) The director of job and family services shall adopt 1126

rules in accordance with Chapter 119. of the Revised Code to 1127  
implement this section. The department of job and family 1128  
services may enter into a plan of cooperation with any other 1129  
governmental entity to aid in ensuring that children are 1130  
protected from abuse and neglect. The department shall make 1131  
recommendations to the attorney general that the department 1132  
determines are necessary to protect children from child abuse 1133  
and child neglect. 1134

(N) Whoever violates division (A) of this section is 1135  
liable for compensatory and exemplary damages to the child who 1136  
would have been the subject of the report that was not made. A 1137  
person who brings a civil action or proceeding pursuant to this 1138  
division against a person who is alleged to have violated 1139  
division (A) (1) of this section may use in the action or 1140  
proceeding reports of other incidents of known or suspected 1141  
abuse or neglect, provided that any information in a report that 1142  
would identify the child who is the subject of the report or the 1143  
maker of the report, if the maker is not the defendant or an 1144  
agent or employee of the defendant, has been redacted. 1145

(O) (1) As used in this division: 1146

(a) "Out-of-home care" includes a nonchartered nonpublic 1147  
school if the alleged child abuse or child neglect, or alleged 1148  
threat of child abuse or child neglect, described in a report 1149  
received by a public children services agency allegedly occurred 1150  
in or involved the nonchartered nonpublic school and the alleged 1151  
perpetrator named in the report holds a certificate, permit, or 1152  
license issued by the state board of education under section 1153  
3301.071 or Chapter 3319. of the Revised Code. 1154

(b) "Administrator, director, or other chief 1155  
administrative officer" means the superintendent of the school 1156

district if the out-of-home care entity subject to a report made 1157  
pursuant to this section is a school operated by the district. 1158

(2) No later than the end of the day following the day on 1159  
which a public children services agency receives a report of 1160  
alleged child abuse or child neglect, or a report of an alleged 1161  
threat of child abuse or child neglect, that allegedly occurred 1162  
in or involved an out-of-home care entity, the agency shall 1163  
provide written notice of the allegations contained in and the 1164  
person named as the alleged perpetrator in the report to the 1165  
administrator, director, or other chief administrative officer 1166  
of the out-of-home care entity that is the subject of the report 1167  
unless the administrator, director, or other chief 1168  
administrative officer is named as an alleged perpetrator in the 1169  
report. If the administrator, director, or other chief 1170  
administrative officer of an out-of-home care entity is named as 1171  
an alleged perpetrator in a report of alleged child abuse or 1172  
child neglect, or a report of an alleged threat of child abuse 1173  
or child neglect, that allegedly occurred in or involved the 1174  
out-of-home care entity, the agency shall provide the written 1175  
notice to the owner or governing board of the out-of-home care 1176  
entity that is the subject of the report. The agency shall not 1177  
provide witness statements or police or other investigative 1178  
reports. 1179

(3) No later than three days after the day on which a 1180  
public children services agency that conducted the investigation 1181  
as determined pursuant to section 2151.422 of the Revised Code 1182  
makes a disposition of an investigation involving a report of 1183  
alleged child abuse or child neglect, or a report of an alleged 1184  
threat of child abuse or child neglect, that allegedly occurred 1185  
in or involved an out-of-home care entity, the agency shall send 1186  
written notice of the disposition of the investigation to the 1187



administrator, director, or other chief administrative officer 1188  
and the owner or governing board of the out-of-home care entity. 1189  
The agency shall not provide witness statements or police or 1190  
other investigative reports. 1191

(P) As used in this section: 1192

(1) "Children's advocacy center" and "sexual abuse of a 1193  
child" have the same meanings as in section 2151.425 of the 1194  
Revised Code. 1195

(2) "Health care professional" means an individual who 1196  
provides health-related services including a physician, hospital 1197  
intern or resident, dentist, podiatrist, registered nurse, 1198  
licensed practical nurse, visiting nurse, licensed psychologist, 1199  
speech pathologist, audiologist, person engaged in social work 1200  
or the practice of professional counseling, and employee of a 1201  
home health agency. "Health care professional" does not include 1202  
a practitioner of a limited branch of medicine as specified in 1203  
section 4731.15 of the Revised Code, licensed school 1204  
psychologist, independent marriage and family therapist or 1205  
marriage and family therapist, or coroner. 1206

(3) "Investigation" means the public children services 1207  
agency's response to an accepted report of child abuse or 1208  
neglect through either an alternative response or a traditional 1209  
response. 1210

(4) "Peace officer" means a sheriff, deputy sheriff, 1211  
constable, police officer of a township or joint police 1212  
district, marshal, deputy marshal, municipal police officer, or 1213  
a state highway patrol trooper. 1214

Sec. 2151.90. (A) As used in sections 2151.90 to 2151.9010 1215  
of the Revised Code: 1216

(1) "Host family" means any individual who provides care 1217  
in the individual's private residence for a child or single- 1218  
family group, at the request of the child's custodial parent, 1219  
guardian, or legal custodian, under a host family agreement. The 1220  
individual also may provide care for the individual's own child 1221  
or children. The term "host family" excludes a foster home. 1222

(2) "Qualified organization" means a private association, 1223  
organization, corporation, nonprofit, or other entity that is 1224  
not a Title IV-E reimbursable setting and that has established a 1225  
program that does all of the following: 1226

(a) Provides resources and services to assist, support, 1227  
and educate parents, host families, children, or any person 1228  
hosting a child under a host family agreement on a temporary 1229  
basis; 1230

(b) Requires a criminal records check on the intended host 1231  
family and all adults residing in the host family's household; 1232

(c) Requires a background check in the central registry of 1233  
abuse and neglect of this state from the department of job and 1234  
family services for the intended host family and all adults 1235  
residing in the host family's household; 1236

(d) Ensures that the host family is trained on the rights, 1237  
duties, responsibilities, and limitations as outlined in the 1238  
host family agreement; 1239

(e) Conduct in-home supervision of a child who is the 1240  
subject of the host family agreement while the agreement is in 1241  
force as follows: 1242

(i) For hostings of fewer than thirty days, within two 1243  
business days of placement and then at least once a week 1244  
thereafter; 1245

(ii) For hostings of thirty days but less than ninety days, within two business days of placement and then twice a month; 1246  
1247  
1248

(iii) For hostings of ninety days or more, within two business days of placement and then an option for less frequent supervision, as determined in accordance with the best interests of the child. 1249  
1250  
1251  
1252

(f) Plans for the return of the child who is the subject of the host family agreement to the child's parents, guardian, or legal custodian. 1253  
1254  
1255

(3) "Temporary basis" means a period of time not to exceed one year, except as provided in section 2151.901 of the Revised Code. 1256  
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1258

(B) A child may be hosted by a host family only when all of the following conditions are satisfied: 1259  
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(1) The hosting is done on a temporary basis. 1261

(2) The hosting is done under a host family agreement entered into with a qualified organization's assistance. 1262  
1263

(3) Either one or both of the child's parents, or the child's guardian or legal custodian, are incarcerated, incapacitated, receiving medical, psychiatric, or psychological treatment, on active military service, or subject to other circumstances under which the hosting is appropriate. 1264  
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1266  
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(4) The host family provides care only to that child or only to a single-family group, in addition to the host family's own child or children if applicable. 1269  
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Sec. 2151.901. Upon the request of the child's parent, guardian, legal custodian, host family, or the qualified 1272  
1273

organization that arranged the host family agreement, a juvenile 1274  
court may alter the period during which a host family agreement 1275  
is in effect if the court determines there are extenuating 1276  
circumstances. 1277

**Sec. 2151.902.** A public children services agency shall not 1278  
file a complaint under section 2151.27 of the Revised Code 1279  
because a child is hosted by a host family in compliance with 1280  
section 2151.90 of the Revised Code, unless the agency 1281  
determines that factors other than the hosting warrant filing 1282  
the complaint. 1283

**Sec. 2151.903.** The presumption that a child hosted under a 1284  
host family agreement is abandoned under section 2151.011 of the 1285  
Revised Code may be rebutted if the hosting complied with 1286  
section 2151.90 of the Revised Code. 1287

**Sec. 2151.904.** (A) Before a qualified organization 1288  
provides for hosting of a child with a host family and every 1289  
four years thereafter, a prospective host family and all other 1290  
persons eighteen years of age or older who reside in the host 1291  
family's home shall request, and shall provide to the qualified 1292  
organization the results of, the following for the host family 1293  
and all other persons eighteen years of age or older who reside 1294  
in the home: 1295

(1) A criminal records check, as defined under division 1296  
(G) of section 109.572 of the Revised Code, and information from 1297  
the federal bureau of investigation, as part of the criminal 1298  
records check, including fingerprint-based checks of national 1299  
crime information databases as described in 42 U.S.C. 671; 1300

(2) A background check in the central registry of abuse 1301  
and neglect of this state from the department of job and family 1302

services. 1303

(B) A person subject to division (A) of this section may 1304  
request the criminal records check and information required 1305  
under division (A) (1) of this section from either of the 1306  
following: 1307

(1) The superintendent of the bureau of criminal 1308  
identification and investigation; 1309

(2) Any entity authorized, on behalf of the person, to 1310  
request the superintendent to conduct the criminal records check 1311  
and provide the information. 1312

(C) If a person subject to division (A) of this section 1313  
fails to provide the results of the criminal records and 1314  
background checks and the information required under that 1315  
division to the qualified organization, the organization shall 1316  
not authorize hosting with the host family. 1317

**Sec. 2151.906.** A qualified organization shall not 1318  
authorize hosting with a host family if any person eighteen 1319  
years of age or older who resides with the prospective host 1320  
family previously has been convicted of or pleaded guilty to any 1321  
of the violations described in division (A) (4) of section 1322  
109.572 of the Revised Code, unless all of the following 1323  
conditions are satisfied: 1324

(A) If the offense was a misdemeanor, or would be a 1325  
misdemeanor if the conviction occurred at the time that hosting 1326  
is being considered, at least three years have elapsed from the 1327  
date the person was fully discharged from any imprisonment or 1328  
probation arising from the conviction. 1329

(B) If the offense was a felony, at least ten years have 1330  
elapsed since the person was fully discharged from imprisonment 1331

<u>or probation arising from the conviction.</u>	1332
<u>(C) The victim of the offense was not one of the</u>	1333
<u>following:</u>	1334
<u>(1) A person under the age of eighteen;</u>	1335
<u>(2) A functionally impaired person as defined in section</u>	1336
<u>2903.10 of the Revised Code;</u>	1337
<u>(3) A person with a developmental disability as defined in</u>	1338
<u>section 5123.01 of the Revised Code;</u>	1339
<u>(4) A person with a mental illness as defined in section</u>	1340
<u>5122.01 of the Revised Code;</u>	1341
<u>(5) A person sixty years of age or older.</u>	1342
<u>(D) Hosting in the host family's home will not jeopardize</u>	1343
<u>in any way the health, safety, or welfare of the child to be</u>	1344
<u>hosted. The following factors shall be considered in determining</u>	1345
<u>whether this condition is satisfied:</u>	1346
<u>(1) The person's age at the time of the offense;</u>	1347
<u>(2) The nature and seriousness of the offense;</u>	1348
<u>(3) The circumstances under which the offense was</u>	1349
<u>committed;</u>	1350
<u>(4) The degree of participation of the person involved in</u>	1351
<u>the offense;</u>	1352
<u>(5) The time elapsed since the person was fully discharged</u>	1353
<u>from imprisonment or probation;</u>	1354
<u>(6) The likelihood that the circumstances leading to the</u>	1355
<u>offense will recur;</u>	1356
<u>(7) Whether the person is a repeat offender;</u>	1357

<u>(8) The person's employment record;</u>	1358
<u>(9) The person's efforts at rehabilitation and the results of those efforts;</u>	1359
	1360
<u>(10) Whether any criminal proceedings are pending against the person;</u>	1361
	1362
<u>(11) Any other factors the qualified organization considers relevant.</u>	1363
	1364
<b><u>Sec. 2151.907. The report of any criminal records check conducted pursuant to a request made under section 2151.904 of the Revised Code is not a public record for the purposes of section 149.43 of the Revised Code and shall not be made available to any person other than the following:</u></b>	1365
	1366
	1367
	1368
	1369
<u>(A) The person who is the subject of the criminal records check or the person's representative;</u>	1370
	1371
<u>(B) The administrative director of the qualified organization or the director's representative;</u>	1372
	1373
<u>(C) Any court, hearing officer, or other necessary individual involved in a case regarding a qualified organization's decision not to authorize hosting with the host family to which either of the following apply:</u>	1374
	1375
	1376
	1377
<u>(1) The host family was subject to the criminal records check.</u>	1378
	1379
<u>(2) The host family resided with the person subject to the criminal records check.</u>	1380
	1381
<b><u>Sec. 2151.908. A qualified organization shall develop and implement written policies and procedures for employees, including policies and procedures on all of the following</u></b>	1382
	1383
	1384

<u>topics:</u>	1385
<u>(A) Familiarization of the employee with emergency and safety procedures;</u>	1386 1387
<u>(B) The principles and practices of child care;</u>	1388
<u>(C) Administrative structure, procedures, and overall program goals of the qualified organization;</u>	1389 1390
<u>(D) Appropriate techniques of behavior management;</u>	1391
<u>(E) Techniques and methodologies for crisis management;</u>	1392
<u>(F) Familiarization of the employee with the disciplinary procedures outlined in rule 5101:2-9-21 of the Ohio Administrative Code, the discipline and behavior intervention policies required by rule 5101:2-5-13 of the Ohio Administrative Code, and any other similar requirements;</u>	1393 1394 1395 1396 1397
<u>(G) Procedures for reporting suspected child abuse or neglect under section 2151.421 of the Revised Code;</u>	1398 1399
<u>(H) An emergency medical plan;</u>	1400
<u>(I) Universal precautions;</u>	1401
<u>(J) Knowledge and skills to understand and address the issues confronting adolescents.</u>	1402 1403
<u><b>Sec. 2151.909.</b> A qualified organization shall develop and implement written policies and procedures for host family training. Training shall include all of the following topics:</u>	1404 1405 1406
<u>(A) The legal rights and responsibilities of host families;</u>	1407 1408
<u>(B) The qualified organization's policies and procedures regarding host families;</u>	1409 1410



<u>(C) The effects that separation and attachment issues have</u>	1411
<u>on children and their families;</u>	1412
<u>(D) The effects of physical abuse, sexual abuse, emotional</u>	1413
<u>abuse, neglect, and substance abuse on normal human growth and</u>	1414
<u>development, as well as information on reporting child abuse and</u>	1415
<u>neglect;</u>	1416
<u>(E) Behavior management techniques;</u>	1417
<u>(F) Cultural competence;</u>	1418
<u>(G) Prevention, recognition, and management of</u>	1419
<u>communicable diseases;</u>	1420
<u>(H) Community health and social services available to</u>	1421
<u>children and their families;</u>	1422
<u>(I) Training on appropriate and positive behavioral</u>	1423
<u>intervention techniques;</u>	1424
<u>(J) Education advocacy training.</u>	1425
<u>Sec. 2151.9010. A host family shall not be subject to</u>	1426
<u>certification or supervision by the director of job and family</u>	1427
<u>services under section 5103.03 of the Revised Code.</u>	1428
<u>Sec. 5103.02. As used in sections 5103.03 to 5103.17 of</u>	1429
<u>the Revised Code:</u>	1430
<u>(A) (1) "Association" or "institution" includes all of the</u>	1431
<u>following:</u>	1432
<u>(a) Any incorporated or unincorporated organization,</u>	1433
<u>society, association, or agency, public or private, that</u>	1434
<u>receives or cares for children for two or more consecutive</u>	1435
<u>weeks;</u>	1436
<u>(b) Any individual, including the operator of a foster</u>	1437

home, who, for hire, gain, or reward, receives or cares for 1438  
children for two or more consecutive weeks, unless the 1439  
individual is related to them by blood or marriage; 1440

(c) Any individual not in the regular employ of a court, 1441  
or of an institution or association certified in accordance with 1442  
section 5103.03 of the Revised Code, who in any manner becomes a 1443  
party to the placing of children in foster homes, unless the 1444  
individual is related to such children by blood or marriage or 1445  
is the appointed guardian of such children; 1446

(d) A qualified organization as defined in section 2151.90 1447  
of the Revised Code. 1448

(2) "Association" or "institution" does not include any of 1449  
the following: 1450

(a) Any organization, society, association, school, 1451  
agency, child guidance center, detention or rehabilitation 1452  
facility, or children's clinic licensed, regulated, approved, 1453  
operated under the direction of, or otherwise certified by the 1454  
department of education, a local board of education, the 1455  
department of youth services, the department of mental health 1456  
and addiction services, or the department of developmental 1457  
disabilities; 1458

(b) Any individual who provides care for only a single- 1459  
family group, placed there by their parents or other relative 1460  
having custody; 1461

(c) A private, nonprofit therapeutic wilderness camp. 1462

(B) "Family foster home" means a foster home that is not a 1463  
specialized foster home. 1464

(C) "Foster caregiver" means a person holding a valid 1465

foster home certificate issued under section 5103.03 of the Revised Code. 1466  
1467

(D) "Foster home" means a private residence in which 1468  
children are received apart from their parents, guardian, or 1469  
legal custodian, by an individual reimbursed for providing the 1470  
children nonsecure care, supervision, or training twenty-four 1471  
hours a day. "Foster home" does not include care provided for a 1472  
child in the home of a person other than the child's parent, 1473  
guardian, or legal custodian while the parent, guardian, or 1474  
legal custodian is temporarily away. Family foster homes and 1475  
specialized foster homes are types of foster homes. 1476

(E) "Medically fragile foster home" means a foster home 1477  
that provides specialized medical services designed to meet the 1478  
needs of children with intensive health care needs who meet all 1479  
of the following criteria: 1480

(1) Under rules adopted by the medicaid director governing 1481  
medicaid payments for long-term care services, the children 1482  
require a skilled level of care. 1483

(2) The children require the services of a doctor of 1484  
medicine or osteopathic medicine at least once a week due to the 1485  
instability of their medical conditions. 1486

(3) The children require the services of a registered 1487  
nurse on a daily basis. 1488

(4) The children are at risk of institutionalization in a 1489  
hospital, skilled nursing facility, or intermediate care 1490  
facility for individuals with intellectual disabilities. 1491

(F) "Private, nonprofit therapeutic wilderness camp" means 1492  
a structured, alternative residential setting for children who 1493  
are experiencing emotional, behavioral, moral, social, or 1494

learning difficulties at home or school in which all of the	1495
following are the case:	1496
(1) The children spend the majority of their time,	1497
including overnight, either outdoors or in a primitive	1498
structure.	1499
(2) The children have been placed there by their parents	1500
or another relative having custody.	1501
(3) The camp accepts no public funds for use in its	1502
operations.	1503
(G) "Recommending agency" means a public children services	1504
agency, private child placing agency, or private noncustodial	1505
agency that recommends that the department of job and family	1506
services take any of the following actions under section 5103.03	1507
of the Revised Code regarding a foster home:	1508
(1) Issue a certificate;	1509
(2) Deny a certificate;	1510
(3) Renew a certificate;	1511
(4) Deny renewal of a certificate;	1512
(5) Revoke a certificate.	1513
(H) "Specialized foster home" means a medically fragile	1514
foster home or a treatment foster home.	1515
(I) "Treatment foster home" means a foster home that	1516
incorporates special rehabilitative services designed to treat	1517
the specific needs of the children received in the foster home	1518
and that receives and cares for children who are emotionally or	1519
behaviorally disturbed, who are chemically dependent, who have	1520
developmental disabilities, or who otherwise have exceptional	1521

needs. 1522

**Section 2.** That existing sections 109.572, 2151.421, and 1523  
5103.02 of the Revised Code are hereby repealed. 1524

**Section 3.** Section 109.572 of the Revised Code is 1525  
presented in section 1 of this act as a composite of the section 1526  
as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, 1527  
Am. Sub. S.B. 51, Sub. S.B. 229, and Am. Sub. S.B. 255, all of 1528  
the 132nd General Assembly. The General Assembly, applying the 1529  
principle stated in division (B) of section 1.52 of the Revised 1530  
Code that amendments are to be harmonized if reasonably capable 1531  
of simultaneous operation, finds that the composite is the 1532  
resulting version of the section in effect prior to the 1533  
effective date of the section as presented in this act. 1534

**Section 4.** That the version of section 109.572 of the 1535  
Revised Code that is scheduled to take effect on September 20, 1536  
2019, be amended to read as follows: 1537

**Sec. 109.572.** (A) (1) Upon receipt of a request pursuant to 1538  
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 1539  
Code, a completed form prescribed pursuant to division (C) (1) of 1540  
this section, and a set of fingerprint impressions obtained in 1541  
the manner described in division (C) (2) of this section, the 1542  
superintendent of the bureau of criminal identification and 1543  
investigation shall conduct a criminal records check in the 1544  
manner described in division (B) of this section to determine 1545  
whether any information exists that indicates that the person 1546  
who is the subject of the request previously has been convicted 1547  
of or pleaded guilty to any of the following: 1548

(a) A violation of section 2903.01, 2903.02, 2903.03, 1549  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1550

2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 1551  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 1552  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 1553  
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 1554  
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 1555  
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 1556  
sexual penetration in violation of former section 2907.12 of the 1557  
Revised Code, a violation of section 2905.04 of the Revised Code 1558  
as it existed prior to July 1, 1996, a violation of section 1559  
2919.23 of the Revised Code that would have been a violation of 1560  
section 2905.04 of the Revised Code as it existed prior to July 1561  
1, 1996, had the violation been committed prior to that date, or 1562  
a violation of section 2925.11 of the Revised Code that is not a 1563  
minor drug possession offense; 1564

(b) A violation of an existing or former law of this 1565  
state, any other state, or the United States that is 1566  
substantially equivalent to any of the offenses listed in 1567  
division (A)(1)(a) of this section; 1568

(c) If the request is made pursuant to section 3319.39 of 1569  
the Revised Code for an applicant who is a teacher, any offense 1570  
specified in section 3319.31 of the Revised Code. 1571

(2) On receipt of a request pursuant to section 3712.09 or 1572  
3721.121 of the Revised Code, a completed form prescribed 1573  
pursuant to division (C)(1) of this section, and a set of 1574  
fingerprint impressions obtained in the manner described in 1575  
division (C)(2) of this section, the superintendent of the 1576  
bureau of criminal identification and investigation shall 1577  
conduct a criminal records check with respect to any person who 1578  
has applied for employment in a position for which a criminal 1579  
records check is required by those sections. The superintendent 1580

shall conduct the criminal records check in the manner described 1581  
in division (B) of this section to determine whether any 1582  
information exists that indicates that the person who is the 1583  
subject of the request previously has been convicted of or 1584  
pleaded guilty to any of the following: 1585

(a) A violation of section 2903.01, 2903.02, 2903.03, 1586  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1587  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 1588  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 1589  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 1590  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 1591  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 1592  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 1593  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 1594

(b) An existing or former law of this state, any other 1595  
state, or the United States that is substantially equivalent to 1596  
any of the offenses listed in division (A)(2)(a) of this 1597  
section. 1598

(3) On receipt of a request pursuant to section 173.27, 1599  
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 1600  
5123.081, or 5123.169 of the Revised Code, a completed form 1601  
prescribed pursuant to division (C)(1) of this section, and a 1602  
set of fingerprint impressions obtained in the manner described 1603  
in division (C)(2) of this section, the superintendent of the 1604  
bureau of criminal identification and investigation shall 1605  
conduct a criminal records check of the person for whom the 1606  
request is made. The superintendent shall conduct the criminal 1607  
records check in the manner described in division (B) of this 1608  
section to determine whether any information exists that 1609  
indicates that the person who is the subject of the request 1610

previously has been convicted of, has pleaded guilty to, or 1611  
(except in the case of a request pursuant to section 5164.34,  
5164.341, or 5164.342 of the Revised Code) has been found 1612  
eligible for intervention in lieu of conviction for any of the 1613  
following, regardless of the date of the conviction, the date of 1614  
entry of the guilty plea, or (except in the case of a request 1615  
pursuant to section 5164.34, 5164.341, or 5164.342 of the 1616  
Revised Code) the date the person was found eligible for 1618  
intervention in lieu of conviction: 1619

(a) A violation of section 959.13, 959.131, 2903.01, 1620  
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 1621  
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 1622  
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 1623  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1624  
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 1625  
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 1626  
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 1627  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 1628  
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 1629  
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 1630  
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1631  
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 1632  
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 1633  
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 1634  
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 1635  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 1636  
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 1637  
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code; 1638

(b) Felonious sexual penetration in violation of former 1639  
section 2907.12 of the Revised Code; 1640



(c) A violation of section 2905.04 of the Revised Code as 1641  
it existed prior to July 1, 1996; 1642

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 1643  
the Revised Code when the underlying offense that is the object 1644  
of the conspiracy, attempt, or complicity is one of the offenses 1645  
listed in divisions (A) (3) (a) to (c) of this section; 1646

(e) A violation of an existing or former municipal 1647  
ordinance or law of this state, any other state, or the United 1648  
States that is substantially equivalent to any of the offenses 1649  
listed in divisions (A) (3) (a) to (d) of this section. 1650

(4) On receipt of a request pursuant to section 2151.86 or 1651  
2151.904 of the Revised Code, a completed form prescribed 1652  
pursuant to division (C) (1) of this section, and a set of 1653  
fingerprint impressions obtained in the manner described in 1654  
division (C) (2) of this section, the superintendent of the 1655  
bureau of criminal identification and investigation shall 1656  
conduct a criminal records check in the manner described in 1657  
division (B) of this section to determine whether any 1658  
information exists that indicates that the person who is the 1659  
subject of the request previously has been convicted of or 1660  
pleaded guilty to any of the following: 1661

(a) A violation of section 959.13, 2903.01, 2903.02, 1662  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 1663  
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 1664  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1665  
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 1666  
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 1667  
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 1668  
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 1669  
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 1670

2927.12, or 3716.11 of the Revised Code, a violation of section 1671  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1672  
a violation of section 2919.23 of the Revised Code that would 1673  
have been a violation of section 2905.04 of the Revised Code as 1674  
it existed prior to July 1, 1996, had the violation been 1675  
committed prior to that date, a violation of section 2925.11 of 1676  
the Revised Code that is not a minor drug possession offense, 1677  
two or more OVI or OVUAC violations committed within the three 1678  
years immediately preceding the submission of the application or 1679  
petition that is the basis of the request, or felonious sexual 1680  
penetration in violation of former section 2907.12 of the 1681  
Revised Code; 1682

(b) A violation of an existing or former law of this 1683  
state, any other state, or the United States that is 1684  
substantially equivalent to any of the offenses listed in 1685  
division (A) (4) (a) of this section. 1686

(5) Upon receipt of a request pursuant to section 5104.013 1687  
of the Revised Code, a completed form prescribed pursuant to 1688  
division (C) (1) of this section, and a set of fingerprint 1689  
impressions obtained in the manner described in division (C) (2) 1690  
of this section, the superintendent of the bureau of criminal 1691  
identification and investigation shall conduct a criminal 1692  
records check in the manner described in division (B) of this 1693  
section to determine whether any information exists that 1694  
indicates that the person who is the subject of the request has 1695  
been convicted of or pleaded guilty to any of the following: 1696

(a) A violation of section 2151.421, 2903.01, 2903.02, 1697  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 1698  
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 1699  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1700

2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 1701  
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 1702  
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 1703  
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 1704  
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 1705  
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 1706  
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1707  
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 1708  
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 1709  
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 1710  
3716.11 of the Revised Code, felonious sexual penetration in 1711  
violation of former section 2907.12 of the Revised Code, a 1712  
violation of section 2905.04 of the Revised Code as it existed 1713  
prior to July 1, 1996, a violation of section 2919.23 of the 1714  
Revised Code that would have been a violation of section 2905.04 1715  
of the Revised Code as it existed prior to July 1, 1996, had the 1716  
violation been committed prior to that date, a violation of 1717  
section 2925.11 of the Revised Code that is not a minor drug 1718  
possession offense, a violation of section 2923.02 or 2923.03 of 1719  
the Revised Code that relates to a crime specified in this 1720  
division, or a second violation of section 4511.19 of the 1721  
Revised Code within five years of the date of application for 1722  
licensure or certification. 1723

(b) A violation of an existing or former law of this 1724  
state, any other state, or the United States that is 1725  
substantially equivalent to any of the offenses or violations 1726  
described in division (A) (5) (a) of this section. 1727

(6) Upon receipt of a request pursuant to section 5153.111 1728  
of the Revised Code, a completed form prescribed pursuant to 1729  
division (C) (1) of this section, and a set of fingerprint 1730  
impressions obtained in the manner described in division (C) (2) 1731

of this section, the superintendent of the bureau of criminal 1732  
identification and investigation shall conduct a criminal 1733  
records check in the manner described in division (B) of this 1734  
section to determine whether any information exists that 1735  
indicates that the person who is the subject of the request 1736  
previously has been convicted of or pleaded guilty to any of the 1737  
following: 1738

(a) A violation of section 2903.01, 2903.02, 2903.03, 1739  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1740  
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 1741  
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 1742  
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 1743  
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 1744  
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 1745  
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 1746  
Code, felonious sexual penetration in violation of former 1747  
section 2907.12 of the Revised Code, a violation of section 1748  
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1749  
a violation of section 2919.23 of the Revised Code that would 1750  
have been a violation of section 2905.04 of the Revised Code as 1751  
it existed prior to July 1, 1996, had the violation been 1752  
committed prior to that date, or a violation of section 2925.11 1753  
of the Revised Code that is not a minor drug possession offense; 1754

(b) A violation of an existing or former law of this 1755  
state, any other state, or the United States that is 1756  
substantially equivalent to any of the offenses listed in 1757  
division (A) (6) (a) of this section. 1758

(7) On receipt of a request for a criminal records check 1759  
from an individual pursuant to section 4749.03 or 4749.06 of the 1760  
Revised Code, accompanied by a completed copy of the form 1761

prescribed in division (C) (1) of this section and a set of 1762  
fingerprint impressions obtained in a manner described in 1763  
division (C) (2) of this section, the superintendent of the 1764  
bureau of criminal identification and investigation shall 1765  
conduct a criminal records check in the manner described in 1766  
division (B) of this section to determine whether any 1767  
information exists indicating that the person who is the subject 1768  
of the request has been convicted of or pleaded guilty to a 1769  
felony in this state or in any other state. If the individual 1770  
indicates that a firearm will be carried in the course of 1771  
business, the superintendent shall require information from the 1772  
federal bureau of investigation as described in division (B) (2) 1773  
of this section. Subject to division (F) of this section, the 1774  
superintendent shall report the findings of the criminal records 1775  
check and any information the federal bureau of investigation 1776  
provides to the director of public safety. 1777

(8) On receipt of a request pursuant to section 1321.37, 1778  
1321.53, or 4763.05 of the Revised Code, a completed form 1779  
prescribed pursuant to division (C) (1) of this section, and a 1780  
set of fingerprint impressions obtained in the manner described 1781  
in division (C) (2) of this section, the superintendent of the 1782  
bureau of criminal identification and investigation shall 1783  
conduct a criminal records check with respect to any person who 1784  
has applied for a license, permit, or certification from the 1785  
department of commerce or a division in the department. The 1786  
superintendent shall conduct the criminal records check in the 1787  
manner described in division (B) of this section to determine 1788  
whether any information exists that indicates that the person 1789  
who is the subject of the request previously has been convicted 1790  
of or pleaded guilty to any of the following: a violation of 1791  
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 1792

Revised Code; any other criminal offense involving theft, 1793  
receiving stolen property, embezzlement, forgery, fraud, passing 1794  
bad checks, money laundering, or drug trafficking, or any 1795  
criminal offense involving money or securities, as set forth in 1796  
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 1797  
the Revised Code; or any existing or former law of this state, 1798  
any other state, or the United States that is substantially 1799  
equivalent to those offenses. 1800

(9) On receipt of a request for a criminal records check 1801  
from the treasurer of state under section 113.041 of the Revised 1802  
Code or from an individual under section 4701.08, 4715.101, 1803  
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 1804  
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 1805  
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 1806  
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 1807  
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 1808  
4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 1809  
4779.091, or 4783.04 of the Revised Code, accompanied by a 1810  
completed form prescribed under division (C)(1) of this section 1811  
and a set of fingerprint impressions obtained in the manner 1812  
described in division (C)(2) of this section, the superintendent 1813  
of the bureau of criminal identification and investigation shall 1814  
conduct a criminal records check in the manner described in 1815  
division (B) of this section to determine whether any 1816  
information exists that indicates that the person who is the 1817  
subject of the request has been convicted of or pleaded guilty 1818  
to any criminal offense in this state or any other state. 1819  
Subject to division (F) of this section, the superintendent 1820  
shall send the results of a check requested under section 1821  
113.041 of the Revised Code to the treasurer of state and shall 1822  
send the results of a check requested under any of the other 1823

listed sections to the licensing board specified by the 1824  
individual in the request. 1825

(10) On receipt of a request pursuant to section 124.74, 1826  
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 1827  
completed form prescribed pursuant to division (C)(1) of this 1828  
section, and a set of fingerprint impressions obtained in the 1829  
manner described in division (C)(2) of this section, the 1830  
superintendent of the bureau of criminal identification and 1831  
investigation shall conduct a criminal records check in the 1832  
manner described in division (B) of this section to determine 1833  
whether any information exists that indicates that the person 1834  
who is the subject of the request previously has been convicted 1835  
of or pleaded guilty to any criminal offense under any existing 1836  
or former law of this state, any other state, or the United 1837  
States. 1838

(11) On receipt of a request for a criminal records check 1839  
from an appointing or licensing authority under section 3772.07 1840  
of the Revised Code, a completed form prescribed under division 1841  
(C)(1) of this section, and a set of fingerprint impressions 1842  
obtained in the manner prescribed in division (C)(2) of this 1843  
section, the superintendent of the bureau of criminal 1844  
identification and investigation shall conduct a criminal 1845  
records check in the manner described in division (B) of this 1846  
section to determine whether any information exists that 1847  
indicates that the person who is the subject of the request 1848  
previously has been convicted of or pleaded guilty or no contest 1849  
to any offense under any existing or former law of this state, 1850  
any other state, or the United States that is a disqualifying 1851  
offense as defined in section 3772.07 of the Revised Code or 1852  
substantially equivalent to such an offense. 1853

(12) On receipt of a request pursuant to section 2151.33 1854  
or 2151.412 of the Revised Code, a completed form prescribed 1855  
pursuant to division (C)(1) of this section, and a set of 1856  
fingerprint impressions obtained in the manner described in 1857  
division (C)(2) of this section, the superintendent of the 1858  
bureau of criminal identification and investigation shall 1859  
conduct a criminal records check with respect to any person for 1860  
whom a criminal records check is required under that section. 1861  
The superintendent shall conduct the criminal records check in 1862  
the manner described in division (B) of this section to 1863  
determine whether any information exists that indicates that the 1864  
person who is the subject of the request previously has been 1865  
convicted of or pleaded guilty to any of the following: 1866

(a) A violation of section 2903.01, 2903.02, 2903.03, 1867  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1868  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 1869  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 1870  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 1871  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 1872  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 1873  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 1874  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 1875

(b) An existing or former law of this state, any other 1876  
state, or the United States that is substantially equivalent to 1877  
any of the offenses listed in division (A)(12)(a) of this 1878  
section. 1879

(13) On receipt of a request pursuant to section 3796.12 1880  
of the Revised Code, a completed form prescribed pursuant to 1881  
division (C)(1) of this section, and a set of fingerprint 1882  
impressions obtained in a manner described in division (C)(2) of 1883



this section, the superintendent of the bureau of criminal 1884  
identification and investigation shall conduct a criminal 1885  
records check in the manner described in division (B) of this 1886  
section to determine whether any information exists that 1887  
indicates that the person who is the subject of the request 1888  
previously has been convicted of or pleaded guilty to the 1889  
following: 1890

(a) A disqualifying offense as specified in rules adopted 1891  
under division (B) (2) (b) of section 3796.03 of the Revised Code 1892  
if the person who is the subject of the request is an 1893  
administrator or other person responsible for the daily 1894  
operation of, or an owner or prospective owner, officer or 1895  
prospective officer, or board member or prospective board member 1896  
of, an entity seeking a license from the department of commerce 1897  
under Chapter 3796. of the Revised Code; 1898

(b) A disqualifying offense as specified in rules adopted 1899  
under division (B) (2) (b) of section 3796.04 of the Revised Code 1900  
if the person who is the subject of the request is an 1901  
administrator or other person responsible for the daily 1902  
operation of, or an owner or prospective owner, officer or 1903  
prospective officer, or board member or prospective board member 1904  
of, an entity seeking a license from the state board of pharmacy 1905  
under Chapter 3796. of the Revised Code. 1906

(14) On receipt of a request required by section 3796.13 1907  
of the Revised Code, a completed form prescribed pursuant to 1908  
division (C) (1) of this section, and a set of fingerprint 1909  
impressions obtained in a manner described in division (C) (2) of 1910  
this section, the superintendent of the bureau of criminal 1911  
identification and investigation shall conduct a criminal 1912  
records check in the manner described in division (B) of this 1913

section to determine whether any information exists that 1914  
indicates that the person who is the subject of the request 1915  
previously has been convicted of or pleaded guilty to the 1916  
following: 1917

(a) A disqualifying offense as specified in rules adopted 1918  
under division (B) (8) (a) of section 3796.03 of the Revised Code 1919  
if the person who is the subject of the request is seeking 1920  
employment with an entity licensed by the department of commerce 1921  
under Chapter 3796. of the Revised Code; 1922

(b) A disqualifying offense as specified in rules adopted 1923  
under division (B) (14) (a) of section 3796.04 of the Revised Code 1924  
if the person who is the subject of the request is seeking 1925  
employment with an entity licensed by the state board of 1926  
pharmacy under Chapter 3796. of the Revised Code. 1927

(15) On receipt of a request pursuant to section 4768.06 1928  
of the Revised Code, a completed form prescribed under division 1929  
(C) (1) of this section, and a set of fingerprint impressions 1930  
obtained in the manner described in division (C) (2) of this 1931  
section, the superintendent of the bureau of criminal 1932  
identification and investigation shall conduct a criminal 1933  
records check in the manner described in division (B) of this 1934  
section to determine whether any information exists indicating 1935  
that the person who is the subject of the request has been 1936  
convicted of or pleaded guilty to a felony in this state or in 1937  
any other state. 1938

(16) On receipt of a request pursuant to division (B) of 1939  
section 4764.07 of the Revised Code, a completed form prescribed 1940  
under division (C) (1) of this section, and a set of fingerprint 1941  
impressions obtained in the manner described in division (C) (2) 1942  
of this section, the superintendent of the bureau of criminal 1943

identification and investigation shall conduct a criminal 1944  
records check in the manner described in division (B) of this 1945  
section to determine whether any information exists indicating 1946  
that the person who is the subject of the request has been 1947  
convicted of or pleaded guilty to any crime of moral turpitude, 1948  
a felony, or an equivalent offense in any other state or the 1949  
United States. 1950

(17) On receipt of a request for a criminal records check 1951  
under section 147.022 of the Revised Code, a completed form 1952  
prescribed under division (C) (1) of this section, and a set of 1953  
fingerprint impressions obtained in the manner prescribed in 1954  
division (C) (2) of this section, the superintendent of the 1955  
bureau of criminal identification and investigation shall 1956  
conduct a criminal records check in the manner described in 1957  
division (B) of this section to determine whether any 1958  
information exists that indicates that the person who is the 1959  
subject of the request previously has been convicted of or 1960  
pleaded guilty or no contest to any disqualifying offense, as 1961  
defined in section 147.011 of the Revised Code, or to any 1962  
offense under any existing or former law of this state, any 1963  
other state, or the United States that is substantially 1964  
equivalent to such a disqualifying offense. 1965

(B) Subject to division (F) of this section, the 1966  
superintendent shall conduct any criminal records check to be 1967  
conducted under this section as follows: 1968

(1) The superintendent shall review or cause to be 1969  
reviewed any relevant information gathered and compiled by the 1970  
bureau under division (A) of section 109.57 of the Revised Code 1971  
that relates to the person who is the subject of the criminal 1972  
records check, including, if the criminal records check was 1973

requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 1974  
173.381, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 1975  
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 1976  
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 1977  
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 1978  
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 1979  
the Revised Code, any relevant information contained in records 1980  
that have been sealed under section 2953.32 of the Revised Code; 1981

(2) If the request received by the superintendent asks for 1982  
information from the federal bureau of investigation, the 1983  
superintendent shall request from the federal bureau of 1984  
investigation any information it has with respect to the person 1985  
who is the subject of the criminal records check, including 1986  
fingerprint-based checks of national crime information databases 1987  
as described in 42 U.S.C. 671 if the request is made pursuant to 1988  
section 2151.86 or 5104.013 of the Revised Code or if any other 1989  
Revised Code section requires fingerprint-based checks of that 1990  
nature, and shall review or cause to be reviewed any information 1991  
the superintendent receives from that bureau. If a request under 1992  
section 3319.39 of the Revised Code asks only for information 1993  
from the federal bureau of investigation, the superintendent 1994  
shall not conduct the review prescribed by division (B)(1) of 1995  
this section. 1996

(3) The superintendent or the superintendent's designee 1997  
may request criminal history records from other states or the 1998  
federal government pursuant to the national crime prevention and 1999  
privacy compact set forth in section 109.571 of the Revised 2000  
Code. 2001

(4) The superintendent shall include in the results of the 2002  
criminal records check a list or description of the offenses 2003

listed or described in division (A) (1), (2), (3), (4), (5), (6), 2004  
(7), (8), (9), (10), (11), (12), (13), (14), (15), (16), or (17) 2005  
of this section, whichever division requires the superintendent 2006  
to conduct the criminal records check. The superintendent shall 2007  
exclude from the results any information the dissemination of 2008  
which is prohibited by federal law. 2009

(5) The superintendent shall send the results of the 2010  
criminal records check to the person to whom it is to be sent 2011  
not later than the following number of days after the date the 2012  
superintendent receives the request for the criminal records 2013  
check, the completed form prescribed under division (C) (1) of 2014  
this section, and the set of fingerprint impressions obtained in 2015  
the manner described in division (C) (2) of this section: 2016

(a) If the superintendent is required by division (A) of 2017  
this section (other than division (A) (3) of this section) to 2018  
conduct the criminal records check, thirty; 2019

(b) If the superintendent is required by division (A) (3) 2020  
of this section to conduct the criminal records check, sixty. 2021

(C) (1) The superintendent shall prescribe a form to obtain 2022  
the information necessary to conduct a criminal records check 2023  
from any person for whom a criminal records check is to be 2024  
conducted under this section. The form that the superintendent 2025  
prescribes pursuant to this division may be in a tangible 2026  
format, in an electronic format, or in both tangible and 2027  
electronic formats. 2028

(2) The superintendent shall prescribe standard impression 2029  
sheets to obtain the fingerprint impressions of any person for 2030  
whom a criminal records check is to be conducted under this 2031  
section. Any person for whom a records check is to be conducted 2032

under this section shall obtain the fingerprint impressions at a 2033  
county sheriff's office, municipal police department, or any 2034  
other entity with the ability to make fingerprint impressions on 2035  
the standard impression sheets prescribed by the superintendent. 2036  
The office, department, or entity may charge the person a 2037  
reasonable fee for making the impressions. The standard 2038  
impression sheets the superintendent prescribes pursuant to this 2039  
division may be in a tangible format, in an electronic format, 2040  
or in both tangible and electronic formats. 2041

(3) Subject to division (D) of this section, the 2042  
superintendent shall prescribe and charge a reasonable fee for 2043  
providing a criminal records check under this section. The 2044  
person requesting the criminal records check shall pay the fee 2045  
prescribed pursuant to this division. In the case of a request 2046  
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 2047  
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 2048  
fee shall be paid in the manner specified in that section. 2049

(4) The superintendent of the bureau of criminal 2050  
identification and investigation may prescribe methods of 2051  
forwarding fingerprint impressions and information necessary to 2052  
conduct a criminal records check, which methods shall include, 2053  
but not be limited to, an electronic method. 2054

(D) The results of a criminal records check conducted 2055  
under this section, other than a criminal records check 2056  
specified in division (A)(7) of this section, are valid for the 2057  
person who is the subject of the criminal records check for a 2058  
period of one year from the date upon which the superintendent 2059  
completes the criminal records check. If during that period the 2060  
superintendent receives another request for a criminal records 2061  
check to be conducted under this section for that person, the 2062

superintendent shall provide the results from the previous 2063  
criminal records check of the person at a lower fee than the fee 2064  
prescribed for the initial criminal records check. 2065

(E) When the superintendent receives a request for 2066  
information from a registered private provider, the 2067  
superintendent shall proceed as if the request was received from 2068  
a school district board of education under section 3319.39 of 2069  
the Revised Code. The superintendent shall apply division (A) (1) 2070  
(c) of this section to any such request for an applicant who is 2071  
a teacher. 2072

(F) (1) Subject to division (F) (2) of this section, all 2073  
information regarding the results of a criminal records check 2074  
conducted under this section that the superintendent reports or 2075  
sends under division (A) (7) or (9) of this section to the 2076  
director of public safety, the treasurer of state, or the 2077  
person, board, or entity that made the request for the criminal 2078  
records check shall relate to the conviction of the subject 2079  
person, or the subject person's plea of guilty to, a criminal 2080  
offense. 2081

(2) Division (F) (1) of this section does not limit, 2082  
restrict, or preclude the superintendent's release of 2083  
information that relates to the arrest of a person who is 2084  
eighteen years of age or older, to an adjudication of a child as 2085  
a delinquent child, or to a criminal conviction of a person 2086  
under eighteen years of age in circumstances in which a release 2087  
of that nature is authorized under division (E) (2), (3), or (4) 2088  
of section 109.57 of the Revised Code pursuant to a rule adopted 2089  
under division (E) (1) of that section. 2090

(G) As used in this section: 2091

(1) "Criminal records check" means any criminal records check conducted by the superintendent of the bureau of criminal identification and investigation in accordance with division (B) of this section.

(2) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code.

(3) "OVI or OVUAC violation" means a violation of section 4511.19 of the Revised Code or a violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to section 4511.19 of the Revised Code.

(4) "Registered private provider" means a nonpublic school or entity registered with the superintendent of public instruction under section 3310.41 of the Revised Code to participate in the autism scholarship program or section 3310.58 of the Revised Code to participate in the Jon Peterson special needs scholarship program.

**Section 5.** That existing section 109.572 of the Revised Code that is scheduled to take effect September 20, 2019, is hereby repealed.

**Section 6.** That Sections 4, 5, and 7 of this act shall take effect September 20, 2019.

**Section 7.** Section 109.572 of the Revised Code is presented in section 4 of this act as a composite of the section as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, Am. Sub. S.B. 51, Sub. S.B. 229, Am. Sub. S.B. 255, and Sub. S.B. 263, all of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be



harmonized if reasonably capable of simultaneous operation,	2121
finds that the composite is the resulting version of the section	2122
in effect prior to the effective date of the section as	2123
presented in this act.	2124