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135th General Assembly

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Sub. S. B. No. 98

Senator Rulli

**Cosponsors: Senators Manning, Brenner, Chavez, Cirino, Craig, DeMora,
Gavarone, Hicks-Hudson, Ingram, Lang, Reineke, Romanchuk, Schaffer**

Representative Brennan

A BILL

To amend sections 109.71, 109.73, 109.75, 109.79, 1
109.801, 1345.02, 1701.07, 1702.06, 1702.59, 2
1703.041, 1703.15, 1703.29, 1706.09, 1729.11, 3
1746.04, 1747.03, 1776.07, 1782.04, 1785.06, 4
1901.123, 1907.143, 2923.126, 3505.06, 3729.05, 5
4505.061, 4519.56, 4519.69, 5709.084, and 6
5709.121 and to enact sections 109.7481, 7
109.774, 111.242, and 111.243 of the Revised 8
Code to address fraudulent business filings, 9
deceptive mailings, reinstatement of canceled 10
business entities, and addresses of statutory 11
agents, and to make changes regarding property 12
taxation, fire investigator firearms, acting or 13
assigned judge reimbursements, common pleas 14
clerk of court duties, recreational vehicle park 15
and camp operation licenses, and state ballot 16
numbering. 17

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

Section 1. That sections 109.71, 109.73, 109.75, 109.79, 18
109.801, 1345.02, 1701.07, 1702.06, 1702.59, 1703.041, 1703.15, 19
1703.29, 1706.09, 1729.11, 1746.04, 1747.03, 1776.07, 1782.04, 20
1785.06, 1901.123, 1907.143, 2923.126, 3505.06, 3729.05, 21
4505.061, 4519.56, 4519.69, 5709.084, and 5709.121 be amended 22
and sections 109.7481, 109.774, 111.242, and 111.243 of the 23
Revised Code be enacted to read as follows: 24

Sec. 109.71. There is hereby created in the office of the 25
attorney general the Ohio peace officer training commission. The 26
commission shall consist of ten members appointed by the 27
governor with the advice and consent of the senate and selected 28
as follows: one member representing the public; one member who 29
represents a fraternal organization representing law enforcement 30
officers; two members who are incumbent sheriffs; two members 31
who are incumbent chiefs of police; one member from the bureau 32
of criminal identification and investigation; one member from 33
the state highway patrol; one member who is the special agent in 34
charge of a field office of the federal bureau of investigation 35
in this state; and one member from the department of education 36
and workforce, trade and industrial education services, law 37
enforcement training. 38

This section does not confer any arrest authority or any 39
ability or authority to detain a person, write or issue any 40
citation, or provide any disposition alternative, as granted 41
under Chapter 2935. of the Revised Code. 42

Pursuant to division (A) (9) of section 101.82 of the 43
Revised Code, the commission is exempt from the requirements of 44
sections 101.82 to 101.87 of the Revised Code. 45

As used in sections 109.71 to 109.801 of the Revised Code: 46

(A) "Peace officer" means:	47
(1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district police force, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state, ordinances of a municipal corporation, resolutions of a township, or regulations of a board of county commissioners or board of township trustees, or any of those laws, ordinances, resolutions, or regulations;	48 49 50 51 52 53 54 55 56 57 58 59 60 61
(2) A police officer who is employed by a railroad company and appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;	62 63 64
(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;	65 66 67 68 69
(4) An undercover drug agent;	70
(5) Enforcement agents of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	71 72 73
(6) An employee of the department of natural resources who is a natural resources law enforcement staff officer designated	74 75

pursuant to section 1501.013, a natural resources officer	76
appointed pursuant to section 1501.24, a forest-fire	77
investigator appointed pursuant to section 1503.09, or a	78
wildlife officer designated pursuant to section 1531.13 of the	79
Revised Code;	80
(7) An employee of a park district who is designated	81
pursuant to section 511.232 or 1545.13 of the Revised Code;	82
(8) An employee of a conservancy district who is	83
designated pursuant to section 6101.75 of the Revised Code;	84
(9) A police officer who is employed by a hospital that	85
employs and maintains its own proprietary police department or	86
security department, and who is appointed and commissioned by	87
the secretary of state pursuant to sections 4973.17 to 4973.22	88
of the Revised Code;	89
(10) Veterans' homes police officers designated under	90
section 5907.02 of the Revised Code;	91
(11) A police officer who is employed by a qualified	92
nonprofit corporation police department pursuant to section	93
1702.80 of the Revised Code;	94
(12) A state university law enforcement officer appointed	95
under section 3345.04 of the Revised Code or a person serving as	96
a state university law enforcement officer on a permanent basis	97
on June 19, 1978, who has been awarded a certificate by the	98
executive director of the Ohio peace officer training commission	99
attesting to the person's satisfactory completion of an approved	100
state, county, municipal, or department of natural resources	101
peace officer basic training program;	102
(13) A special police officer employed by the department	103
of mental health and addiction services pursuant to section	104

5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;	105 106
(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;	107 108
(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code;	109 110 111
(16) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;	112 113 114
(17) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person who was serving as a special police officer pursuant to that section on a permanent basis on October 21, 1997, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;	115 116 117 118 119 120 121 122 123 124
(18) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code or a person serving as a special police officer employed by a port authority on a permanent basis on May 17, 2000, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;	125 126 127 128 129 130 131 132 133

(19) A special police officer employed by a municipal corporation who has been awarded a certificate by the executive director of the Ohio peace officer training commission for satisfactory completion of an approved peace officer basic training program and who is employed on a permanent basis on or after March 19, 2003, at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;

(20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests and that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code;

(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of a state, county, municipal, or department of natural resources peace officer basic training program;

(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation who is commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to authority granted under that section;	165 166 167 168 169 170
(23) A state fire marshal law enforcement officer appointed under section 3737.22 of the Revised Code or a person serving as a state fire marshal law enforcement officer on a permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;	171 172 173 174 175 176 177 178 179
(24) A gaming agent employed under section 3772.03 of the Revised Code;	180 181
(25) An employee of the state board of pharmacy designated by the executive director of the board pursuant to section 4729.04 of the Revised Code to investigate violations of Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the Revised Code and rules adopted thereunder.	182 183 184 185 186
(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.	187 188
(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.	189 190 191
(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.	192 193

(E) "Tactical medical professional" means an EMT, EMT-	194
basic, AEMT, EMT-I, paramedic, nurse, or physician who is	195
trained and certified in a nationally recognized tactical	196
medical training program that is equivalent to "tactical combat	197
casualty care" (TCCC) and "tactical emergency medical support"	198
(TEMS) and who functions in the tactical or austere environment	199
while attached to a law enforcement agency of either this state	200
or a political subdivision of this state.	201
(F) "EMT-basic," "EMT-I," and "paramedic" have the same	202
meanings as in section 4765.01 of the Revised Code and "EMT" and	203
"AEMT" have the same meanings as in section 4765.011 of the	204
Revised Code.	205
(G) "Nurse" means any of the following:	206
(1) Any person who is licensed to practice nursing as a	207
registered nurse by the board of nursing;	208
(2) Any certified nurse practitioner, clinical nurse	209
specialist, certified registered nurse anesthetist, or certified	210
nurse-midwife who holds a certificate of authority issued by the	211
board of nursing under Chapter 4723. of the Revised Code;	212
(3) Any person who is licensed to practice nursing as a	213
licensed practical nurse by the board of nursing pursuant to	214
Chapter 4723. of the Revised Code.	215
(H) "Physician" means a person who is licensed pursuant to	216
Chapter 4731. of the Revised Code to practice medicine and	217
surgery or osteopathic medicine and surgery.	218
(I) "County correctional officer" has the same meaning as	219
in section 341.41 of the Revised Code.	220
<u>(J) (1) "Fire investigator" means an employee of a fire</u>	221

department charged with investigating fires and explosions who 222
has been authorized, in accordance with sections 737.27 and 223
3737.24 of the Revised Code, to perform the duties of 224
investigating the origin and cause of fires and explosions using 225
the scientific method to investigate elements of the event 226
including the circumstances, actions, persons, means, and 227
motives that resulted in the fire or explosion or the report of 228
a fire or explosion within this state. 229

(2) "Fire investigator" does not include a person who is 230
acting as a fire investigator on behalf of an insurance company 231
or any other privately owned or operated enterprise. 232

(K) "Fire department" means a fire department of the state 233
or an instrumentality of the state or of a municipal 234
corporation, township, joint fire district, or other political 235
subdivision. 236

Sec. 109.73. (A) The Ohio peace officer training 237
commission shall recommend rules to the attorney general with 238
respect to all of the following: 239

(1) The approval, or revocation of approval, of peace 240
officer training schools administered by the state, counties, 241
municipal corporations, public school districts, technical 242
college districts, and the department of natural resources; 243

(2) Minimum courses of study, attendance requirements, and 244
equipment and facilities to be required at approved state, 245
county, municipal, and department of natural resources peace 246
officer training schools; 247

(3) Minimum qualifications for instructors at approved 248
state, county, municipal, and department of natural resources 249
peace officer training schools; 250

(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and training in the handling of missing children and child abuse and neglect cases; and training in handling violations of section 2905.32 of the Revised Code; and the time within which such basic training shall be completed following appointment to a probationary term;

(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, crisis intervention training, and training in the handling of missing children and child abuse and neglect cases, and training in handling violations of section 2905.32 of the Revised Code, and the time within which such basic training shall be completed following appointment on other than a permanent basis;

(6) Categories or classifications of advanced in-service training programs for peace officers, including programs in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section

2919.26 or 3113.31 of the Revised Code, in crisis intervention, 282
and in the handling of missing children and child abuse and 283
neglect cases, and in handling violations of section 2905.32 of 284
the Revised Code, and minimum courses of study and attendance 285
requirements with respect to such categories or classifications; 286

(7) Permitting persons, who are employed as members of a 287
campus police department appointed under section 1713.50 of the 288
Revised Code; who are employed as police officers by a qualified 289
nonprofit corporation police department pursuant to section 290
1702.80 of the Revised Code; who are appointed and commissioned 291
as bank, savings and loan association, savings bank, credit 292
union, or association of banks, savings and loan associations, 293
savings banks, or credit unions police officers, as railroad 294
police officers, or as hospital police officers pursuant to 295
sections 4973.17 to 4973.22 of the Revised Code; or who are 296
appointed and commissioned as amusement park police officers 297
pursuant to section 4973.17 of the Revised Code, to attend 298
approved peace officer training schools, including the Ohio 299
peace officer training academy, and to receive certificates of 300
satisfactory completion of basic training programs, if the 301
private college or university that established the campus police 302
department; qualified nonprofit corporation police department; 303
bank, savings and loan association, savings bank, credit union, 304
or association of banks, savings and loan associations, savings 305
banks, or credit unions; railroad company; hospital; or 306
amusement park sponsoring the police officers pays the entire 307
cost of the training and certification and if trainee vacancies 308
are available; 309

(8) Permitting undercover drug agents to attend approved 310
peace officer training schools, other than the Ohio peace 311
officer training academy, and to receive certificates of 312

satisfactory completion of basic training programs, if, for each 313
undercover drug agent, the county, township, or municipal 314
corporation that employs that undercover drug agent pays the 315
entire cost of the training and certification; 316

(9) (a) The requirements for basic training programs for 317
bailiffs and deputy bailiffs of courts of record of this state 318
and for criminal investigators employed by the state public 319
defender that those persons shall complete before they may carry 320
a firearm while on duty; 321

(b) The requirements for any training received by a 322
bailiff or deputy bailiff of a court of record of this state or 323
by a criminal investigator employed by the state public defender 324
prior to June 6, 1986, that is to be considered equivalent to 325
the training described in division (A) (9) (a) of this section. 326

(10) Establishing minimum qualifications and requirements 327
for certification for dogs utilized by law enforcement agencies; 328

(11) Establishing minimum requirements for certification 329
of persons who are employed as correction officers in a full- 330
service jail, five-day facility, or eight-hour holding facility 331
or who provide correction services in such a jail or facility; 332

(12) Establishing requirements for the training of humane 333
society agents under section 1717.061 of the Revised Code, 334
including, without limitation, a requirement that the agents 335
receive instruction on traditional animal husbandry methods and 336
training techniques, including customary owner-performed 337
practices; 338

(13) Permitting tactical medical professionals to attend 339
approved peace officer training schools, including the Ohio 340
peace officer training academy, to receive training of the type 341

described in division (A) (14) of this section and to receive 342
certificates of satisfactory completion of training programs 343
described in that division; 344

(14) The requirements for training programs that tactical 345
medical professionals shall complete to qualify them to carry 346
firearms while on duty under section 109.771 of the Revised 347
Code, which requirements shall include at least the firearms 348
training specified in division (A) of section 109.748 of the 349
Revised Code; 350

(15) Procedures and requirements for a portion of basic 351
training that peace officers complete in proper interactions 352
with civilians during traffic stops and other in-person 353
encounters as specified in division (B) (4) of section 109.803 of 354
the Revised Code and including the topics of instruction listed 355
for active duty peace officers under divisions (B) (4) (a) to (d) 356
of that section; 357

(16) Permitting county correctional officers to attend 358
approved peace officer training schools, including the Ohio 359
peace officer training academy, to receive training of the type 360
described in division (A) (17) of this section, and to receive 361
certificates of satisfactory completion of basic training 362
programs described in that division; 363

(17) The requirements for basic training programs that 364
county correctional officers shall complete to qualify them to 365
carry firearms while on duty under section 109.772 of the 366
Revised Code, which requirements shall include the firearms 367
training specified in section 109.773 of the Revised Code; 368

(18) Permitting fire investigators to attend approved 369
peace officer training schools, including the Ohio peace officer 370

training academy, to receive training of the type described in 371
division (A) (19) of this section, and to receive certificates of 372
satisfactory completion of training programs described in that 373
division; 374

(19) The requirements for training programs that fire 375
investigators shall complete to qualify them to carry firearms 376
while on duty under section 109.774 of the Revised Code, which 377
requirements shall include at least the firearms training 378
specified in division (A) of section 109.7481 of the Revised 379
Code. 380

(B) The commission shall appoint an executive director, 381
with the approval of the attorney general, who shall hold office 382
during the pleasure of the commission. The executive director 383
shall perform such duties assigned by the commission. The 384
executive director shall receive a salary fixed pursuant to 385
Chapter 124. of the Revised Code and reimbursement for expenses 386
within the amounts available by appropriation. The executive 387
director may appoint officers, employees, agents, and 388
consultants as the executive director considers necessary, 389
prescribe their duties, and provide for reimbursement of their 390
expenses within the amounts available for reimbursement by 391
appropriation and with the approval of the commission. 392

(C) The commission may do all of the following: 393

(1) Recommend studies, surveys, and reports to be made by 394
the executive director regarding the carrying out of the 395
objectives and purposes of sections 109.71 to 109.77 of the 396
Revised Code; 397

(2) Visit and inspect any peace officer training school 398
that has been approved by the executive director or for which 399

application for approval has been made; 400

(3) Make recommendations, from time to time, to the 401
executive director, the attorney general, and the general 402
assembly regarding the carrying out of the purposes of sections 403
109.71 to 109.77 of the Revised Code; 404

(4) Report to the attorney general from time to time, and 405
to the governor and the general assembly at least annually, 406
concerning the activities of the commission; 407

(5) Establish fees for the services the commission offers 408
under sections 109.71 to 109.79 of the Revised Code, including, 409
but not limited to, fees for training, certification, and 410
testing; 411

(6) Perform such other acts as are necessary or 412
appropriate to carry out the powers and duties of the commission 413
as set forth in sections 109.71 to 109.77 of the Revised Code. 414

(D) In establishing the requirements, under division (A) 415
(12) of this section, the commission may consider any portions 416
of the curriculum for instruction on the topic of animal 417
husbandry practices, if any, of the Ohio state university 418
college of veterinary medicine. No person or entity that fails 419
to provide instruction on traditional animal husbandry methods 420
and training techniques, including customary owner-performed 421
practices, shall qualify to train a humane society agent for 422
appointment under section 1717.06 of the Revised Code. 423

(E) (1) As used in this division, "license" has the same 424
meaning as in section 4796.01 of the Revised Code, except that 425
it includes a certificate of completion of a training program 426
required under sections 109.71 to 109.804 of the Revised Code. 427
"License" does not include a certificate of completion of a 428

firearm basic training program under division (B)(1) of section 429
109.78 of the Revised Code or a certificate of completion of any 430
firearm requalification training program. 431

(2) Notwithstanding any requirement for a license issued 432
by the commission, the commission shall issue a license in 433
accordance with Chapter 4796. of the Revised Code to an 434
individual if either of the following applies: 435

(a) The individual holds a license in another state. 436

(b) The individual has satisfactory work experience, a 437
government certification, or a private certification as 438
described in that chapter in the same profession, occupation, or 439
occupational activity as the profession, occupation, or 440
occupational activity for which the license is required in this 441
state in a state that does not require such a license. 442

Sec. 109.7481. The attorney general shall adopt, in 443
accordance with Chapter 119. or pursuant to section 109.74 of 444
the Revised Code, the following rules: 445

(A) Rules governing the training of fire investigators to 446
qualify them to carry firearms while on duty under section 447
109.774 of the Revised Code. The rules shall specify the amount 448
of training necessary for the satisfactory completion of 449
training programs at approved peace officer training schools, 450
other than the Ohio peace officer training academy. The rules 451
shall include all of the following: 452

(1) For all such investigators, a requirement that the 453
investigator shall receive firearms training through a program 454
approved by the Ohio peace officer training commission and 455
training in any additional subjects deemed necessary by the Ohio 456
peace officer training commission; 457

(2) For such investigators seeking certification to carry 458
a rifle or carbine, a requirement that, in addition to the 459
training described in division (A)(1) of this section, the 460
investigator shall receive training with respect to the carrying 461
and use of rifles and carbines through a program approved by the 462
Ohio peace officer training commission. 463

(B) Rules authorizing and governing the attendance of fire 464
investigators at approved peace officer training schools, 465
including the Ohio peace officer training academy, to receive 466
training to qualify them to carry firearms while on duty under 467
section 109.774 of the Revised Code, and the certification of 468
the investigators upon their satisfactory completion of training 469
programs providing that training. 470

Sec. 109.75. The executive director of the Ohio peace 471
officer training commission, on behalf of the commission, shall 472
have the following powers and duties, which shall be exercised 473
with the general advice of the commission and only in accordance 474
with section 109.751 of the Revised Code and the rules adopted 475
pursuant to that section, and with the rules adopted by the 476
attorney general pursuant to sections 109.74, 109.741, 109.742, 477
and 109.743 of the Revised Code: 478

(A) To approve peace officer training schools and firearms 479
requalification programs administered by the state, counties, 480
municipal corporations, and the department of natural resources, 481
to issue certificates of approval to approved schools, and to 482
revoke an approval or certificate; 483

(B) To certify, as qualified, instructors at approved 484
peace officer training schools, to issue appropriate 485
certificates to these instructors, and to revoke for good cause 486
shown certificates of these instructors; 487

(C) To certify, as qualified, commanders at approved peace officer training schools, to issue appropriate certificates to these commanders, and to revoke for good cause shown certificates of these commanders. As used in this division, "commander" means the director or other head of an approved peace officer training school.	488 489 490 491 492 493
(D) To certify peace officers and sheriffs who have satisfactorily completed basic training programs and to issue appropriate certificates to these peace officers and sheriffs;	494 495 496
(E) To cause studies and surveys to be made relating to the establishment, operation, and approval of state, county, and municipal peace officer training schools;	497 498 499
(F) To consult and cooperate with state, county, and municipal peace officer training schools for the development of advanced in-service training programs for peace officers;	500 501 502
(G) To consult and cooperate with universities, colleges, and institutes for the development of specialized courses of study in the state for peace officers in police science and police administration;	503 504 505 506
(H) To consult and cooperate with other departments and agencies of the state and federal government concerned with peace officer training;	507 508 509
(I) To perform any other acts that may be necessary or appropriate to carry out the executive director's powers and duties as set forth in sections 109.71 to 109.77 of the Revised Code;	510 511 512 513
(J) To report to the commission at each regular meeting of the commission and at any other times that the commission may require;	514 515 516

(K) To certify persons who have satisfactorily completed 517
approved training programs for correction officers in full- 518
service jails, five-day facilities, or eight-hour holding 519
facilities or approved training programs for others who provide 520
correction services in those jails or facilities and to issue 521
appropriate certificates to those persons; 522

(L) To maintain any records associated with the powers and 523
duties set forth in this section. Certification examinations, 524
either before or after completion, are not public records for 525
purposes of section 149.43 of the Revised Code, but the results 526
of such examinations are public records under that section; 527

(M) To certify tactical medical professionals who have 528
satisfactorily completed approved training programs that qualify 529
them to carry firearms while on duty under section 109.771 of 530
the Revised Code and to issue appropriate certificates to such 531
professionals; 532

(N) To certify county correctional officers who have 533
satisfactorily completed approved basic training programs that 534
qualify them to carry firearms while on duty under section 535
109.772 of the Revised Code and to issue appropriate 536
certificates to such county correctional officers; 537

(O) To certify fire investigators who have satisfactorily 538
completed approved training programs that qualify them to carry 539
firearms while on duty under section 109.774 of the Revised Code 540
and to issue appropriate certificates to such investigators. 541

Sec. 109.774. (A) A fire investigator may carry firearms 542
while on duty if all of the following apply: 543

(1) The state fire marshal, if the fire investigator is 544
employed by the state; the legislative authority of the 545

municipal corporation served by a fire department, if the fire 546
investigator is employed by a municipal fire department; or the 547
chief of the fire department of the township, the chief of the 548
fire department of the joint fire district, or the fire 549
prevention officer in a township or village where no fire 550
department is established that the fire investigator is serving 551
has specifically authorized the investigator to carry firearms 552
while on duty. 553

(2) The fire investigator has done or received one of the 554
following: 555

(a) The investigator has been awarded a certificate by the 556
executive director of the Ohio peace officer training 557
commission, which certificate attests to satisfactory completion 558
of an approved state, county, or municipal basic training 559
program or a program at the Ohio peace officer training academy 560
that qualifies the investigator to carry firearms while on duty 561
and that conforms to the rules adopted under section 109.7481 of 562
the Revised Code. 563

(b) Prior to or during employment as a fire investigator 564
and prior to the effective date of this section, the 565
investigator has successfully completed a firearms training 566
program, other than one described in division (A)(2)(a) of this 567
section, that was approved by the Ohio peace officer training 568
commission. 569

(B) A fire investigator to whom division (A) of this 570
section applies and who is carrying one or more firearms under 571
authority of that division has protection from potential civil 572
or criminal liability for any conduct occurring while carrying 573
the firearm or firearms to the same extent as a law enforcement 574
officer of a law enforcement agency has such protection. 575

Sec. 109.79. (A) The Ohio peace officer training 576
commission shall establish and conduct a training school for law 577
enforcement officers of any political subdivision of the state 578
or of the state public defender's office. The school shall be 579
known as the Ohio peace officer training academy. No bailiff or 580
deputy bailiff of a court of record of this state and no 581
criminal investigator employed by the state public defender 582
shall be permitted to attend the academy for training unless the 583
employing court of the bailiff or deputy bailiff or the state 584
public defender, whichever is applicable, has authorized the 585
bailiff, deputy bailiff, or investigator to attend the academy. 586

The Ohio peace officer training commission shall develop 587
the training program, which shall include courses in both the 588
civil and criminal functions of law enforcement officers, a 589
course in crisis intervention with six or more hours of 590
training, training in the handling of missing children and child 591
abuse and neglect cases, and training on companion animal 592
encounters and companion animal behavior, and shall establish 593
rules governing qualifications for admission to the academy. The 594
commission may require competitive examinations to determine 595
fitness of prospective trainees, so long as the examinations or 596
other criteria for admission to the academy are consistent with 597
the provisions of Chapter 124. of the Revised Code. 598

The Ohio peace officer training commission shall determine 599
tuition costs sufficient in the aggregate to pay the costs of 600
operating the academy. Tuition paid by a political subdivision 601
of the state or by the state public defender's office shall be 602
deposited into the state treasury to the credit of the peace 603
officer training academy fee fund, which is hereby established. 604
The attorney general shall use money in the fund to pay costs 605
associated with operation of the academy. The costs of acquiring 606

and equipping the academy shall be paid from appropriations made 607
by the general assembly to the Ohio peace officer training 608
commission for that purpose, from gifts or grants received for 609
that purpose, or from fees for goods related to the academy. 610

The Ohio peace officer training commission shall create a 611
gaming-related curriculum for gaming agents. The Ohio peace 612
officer training commission shall use money distributed to the 613
Ohio peace officer training academy from the Ohio law 614
enforcement training fund to first support the academy's 615
training programs for gaming agents and gaming-related 616
curriculum. The Ohio peace officer training commission may 617
utilize existing training programs in other states that 618
specialize in training gaming agents. 619

The law enforcement officers, during the period of their 620
training, shall receive compensation as determined by the 621
political subdivision that sponsors them or, if the officer is a 622
criminal investigator employed by the state public defender, as 623
determined by the state public defender. The political 624
subdivision may pay the tuition costs of the law enforcement 625
officers they sponsor and the state public defender may pay the 626
tuition costs of criminal investigators of that office who 627
attend the academy. 628

If trainee vacancies exist, the academy may train and 629
issue certificates of satisfactory completion to peace officers 630
who are employed by a campus police department pursuant to 631
section 1713.50 of the Revised Code, by a qualified nonprofit 632
corporation police department pursuant to section 1702.80 of the 633
Revised Code, or by a railroad company, who are amusement park 634
police officers appointed and commissioned by a judge of the 635
appropriate municipal court or county court pursuant to section 636

4973.17 of the Revised Code, or who are bank, savings and loan 637
association, savings bank, credit union, or association of 638
banks, savings and loan associations, savings banks, or credit 639
unions, or hospital police officers appointed and commissioned 640
by the secretary of state pursuant to sections 4973.17 to 641
4973.22 of the Revised Code, provided that no such officer shall 642
be trained at the academy unless the officer meets the 643
qualifications established for admission to the academy and the 644
qualified nonprofit corporation police department; bank, savings 645
and loan association, savings bank, credit union, or association 646
of banks, savings and loan associations, savings banks, or 647
credit unions; railroad company; hospital; or amusement park or 648
the private college or university that established the campus 649
police department prepays the entire cost of the training. A 650
qualified nonprofit corporation police department; bank, savings 651
and loan association, savings bank, credit union, or association 652
of banks, savings and loan associations, savings banks, or 653
credit unions; railroad company; hospital; or amusement park or 654
a private college or university that has established a campus 655
police department is not entitled to reimbursement from the 656
state for any amount paid for the cost of training the bank, 657
savings and loan association, savings bank, credit union, or 658
association of banks, savings and loan associations, savings 659
banks, or credit unions peace officers; the railroad company's 660
peace officers; or the peace officers of the qualified nonprofit 661
corporation police department, campus police department, 662
hospital, or amusement park. 663

The academy shall permit investigators employed by the 664
state medical board to take selected courses that the board 665
determines are consistent with its responsibilities for initial 666
and continuing training of investigators as required under 667

sections 4730.26 and 4731.05 of the Revised Code. The board 668
shall pay the entire cost of training that investigators receive 669
at the academy. 670

The academy shall permit tactical medical professionals 671
and fire investigators to attend training courses at the academy 672
that are designed to qualify the professionals and investigators 673
to carry firearms while on duty under ~~section~~ sections 109.771 674
and 109.774 of the Revised Code and that provide training 675
comparable to training mandated under the rules required by 676
division (A) of section 109.748 and division (A) of section 677
109.7481 of the Revised Code. The executive director of the Ohio 678
peace officer training commission may certify tactical medical 679
professionals and fire investigators who satisfactorily complete 680
the training courses. The law enforcement agency served by a 681
tactical medical professional or the political subdivision 682
served by a fire investigator who attends the academy may pay 683
the tuition costs of the professional or investigator. 684

The academy shall permit county correctional officers to 685
attend training courses at the academy that are designed to 686
qualify the county correctional officers to carry firearms while 687
on duty under section 109.772 of the Revised Code and that 688
provide training mandated under the rules required by section 689
109.773 of the Revised Code. The executive director of the Ohio 690
peace officer training commission may certify county 691
correctional officers who satisfactorily complete the training 692
courses. The county jail, county workhouse, minimum security 693
jail, joint city and county workhouse, municipal-county 694
correctional center, multicounty-municipal correctional center, 695
municipal-county jail or workhouse, or multicounty-municipal 696
jail or workhouse served by the county correctional officer who 697
attends the academy may pay the tuition costs of the county 698

correctional officer.	699
(B) As used in this section:	700
(1) "Law enforcement officers" include any undercover drug agent, any bailiff or deputy bailiff of a court of record, and any criminal investigator who is employed by the state public defender.	701 702 703 704
(2) "Undercover drug agent" means any person who:	705
(a) Is employed by a county, township, or municipal corporation for the purposes set forth in division (B) (2) (b) of this section but who is not an employee of a county sheriff's department, of a township constable, or of the police department of a municipal corporation or township;	706 707 708 709 710
(b) In the course of the person's employment by a county, township, or municipal corporation, investigates and gathers information pertaining to persons who are suspected of violating Chapter 2925. or 3719. of the Revised Code, and generally does not wear a uniform in the performance of the person's duties.	711 712 713 714 715
(3) "Crisis intervention training" has the same meaning as in section 109.71 of the Revised Code.	716 717
(4) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.	718 719
(5) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	720 721
Sec. 109.801. (A) (1) Each year, any of the following persons who are authorized to carry firearms in the course of their official duties shall complete successfully a firearms requalification program approved by the executive director of the Ohio peace officer training commission in accordance with	722 723 724 725 726

rules adopted by the attorney general pursuant to section 727
109.743 of the Revised Code: any peace officer, sheriff, chief 728
of police of an organized police department of a municipal 729
corporation or township, chief of police of a township police 730
district or joint police district police force, superintendent 731
of the state highway patrol, state highway patrol trooper, or 732
chief of police of a university or college police department; 733
any parole or probation officer who carries a firearm in the 734
course of official duties; any county correctional officer; the 735
house of representatives sergeant at arms if the house of 736
representatives sergeant at arms has arrest authority pursuant 737
to division (E) (1) of section 101.311 of the Revised Code; any 738
assistant house of representatives sergeant at arms; the senate 739
sergeant at arms; any assistant senate sergeant at arms; any 740
tactical medical professional; any fire investigator; or any 741
employee of the department of youth services who is designated 742
pursuant to division (A) (2) of section 5139.53 of the Revised 743
Code as being authorized to carry a firearm while on duty as 744
described in that division. 745

(2) No person listed in division (A) (1) of this section 746
shall carry a firearm during the course of official duties if 747
the person does not comply with division (A) (1) of this section. 748

(B) The hours that a sheriff spends attending a firearms 749
requalification program required by division (A) of this section 750
are in addition to the sixteen hours of continuing education 751
that are required by division (E) of section 311.01 of the 752
Revised Code. 753

(C) As used in this section, "firearm" has the same 754
meaning as in section 2923.11 of the Revised Code. 755

Sec. 111.242. (A) As used in this section, "solicit" or 756

<u>"solicitations" means to directly advertise to a person.</u>	757
<u>"Solicit" and "solicitations" do not include either of the</u>	758
<u>following:</u>	759
<u>(1) Communication initiated by a consumer;</u>	760
<u>(2) Advertising or marketing to a person with whom the</u>	761
<u>solicitor has a current or former commercial relationship.</u>	762
<u>(B) Any person other than the federal government, the</u>	763
<u>state, a state agency, or a local government that solicits a fee</u>	764
<u>for filing a document with, or retrieving a copy or certified</u>	765
<u>copy of a certificate or public record from, the solicitor shall</u>	766
<u>do all of the following:</u>	767
<u>(1) (a) Include a statement in the solicitation, in the</u>	768
<u>same language as the solicitation, that is identical or</u>	769
<u>substantially similar to the following:</u>	770
<u>"This is an advertisement. This offer is not being made</u>	771
<u>by, or on behalf of, any government agency. You are not required</u>	772
<u>to make any payment or take any other action in response to this</u>	773
<u>offer."</u>	774
<u>(b) If the solicitation is in writing, the statement shall</u>	775
<u>be in at least twenty-four-point type and located at the top of</u>	776
<u>the physical document or the beginning of the electronic</u>	777
<u>communication.</u>	778
<u>(2) Include, in the case of mailed solicitation, the words</u>	779
<u>"THIS IS NOT A GOVERNMENT DOCUMENT" in twenty-four-point type</u>	780
<u>and all capital letters on the envelope, outside cover, or</u>	781
<u>wrapper in which the solicitation is mailed;</u>	782
<u>(3) Include both of the following in the solicitation:</u>	783
<u>(a) Information on where the person can file a document</u>	784

directly with the secretary of state or retrieve a copy or 785
certified copy of a certificate or public record; 786

(b) The name of the person making the solicitation and the 787
person's physical address, which shall not be a post office box. 788

(C) A solicitation described in division (B) of this 789
section shall not be in a form, or use deadline dates or other 790
language, that makes the document appear to be issued by the 791
federal government, the state, a state agency, or a local 792
government, or that appears to impose a legal duty on the person 793
being solicited. 794

(D) A violation of this section constitutes a deceptive 795
act or practice in connection with a consumer transaction in 796
violation of section 1345.02 of the Revised Code and is subject 797
to any applicable penalties prescribed under Chapter 1345. of 798
the Revised Code. 799

Sec. 111.243. (A) No person shall do any of the following: 800

(1) Include the name of another person on a document filed 801
with the secretary of state under Title XIII or Title XVII of 802
the Revised Code without that person's consent, if the named 803
person is included in the filing as: 804

(a) A statutory agent; 805

(b) The individual causing the document to be delivered 806
for filing; 807

(c) The person incorporating, forming, registering, or 808
organizing an entity or name registration; 809

(d) Any other person required to be identified in the 810
document. 811

(2) Include an address in a document filed with the 812
secretary of state under Title XIII or Title XVII of the Revised 813
Code without the consent of either the owner or occupant of that 814
address; 815

(3) Deliver a document regarding an entity to the 816
secretary of state under Title XIII or Title XVII of the Revised 817
Code without the necessary consent or authority to do so. 818

(B) A person named in, or otherwise affected by, the 819
filing of a document in violation of division (A) of this 820
section may submit a complaint to the secretary of state, on a 821
form prescribed by the secretary of state, alleging that the 822
filing was made in violation of division (A) of this section. 823
The complaint shall include at least the following information: 824

(1) A description of the alleged violation; 825

(2) The name, street address, telephone number, electronic 826
mail address, if available, and any additional contact 827
information of the person making the complaint; 828

(3) The name, street address, telephone number, electronic 829
mail address, if available, and any additional contact 830
information of any third party authorized to submit the 831
complaint on behalf of the person that is named in, or affected 832
by, the filing; 833

(4) The document identification number assigned by the 834
secretary of state to each filed document that is alleged to 835
have been filed in violation of division (A) of this section; 836

(5) An identification number assigned by the secretary of 837
state for each entity associated with the complaint and the 838
filing, if known to the person making the complaint; 839

(6) Information, if known to the person making the 840
complaint, identifying each person involved in the filing, 841
including names, street addresses, telephone numbers, web sites, 842
and electronic mail addresses; 843

(7) Information, if known to the person making the 844
complaint, identifying the nature of any business or personal 845
relationship between the person making the complaint and each 846
person involved in the filing; 847

(8) A statement by the person making the complaint, under 848
penalty of perjury, that the person believes in good faith that 849
the facts stated in the complaint are true and that the 850
complaint complies with the requirements of this section; 851

(9) Any additional information that the person making the 852
complaint believes may assist in an investigation of the 853
complaint. 854

(C) (1) Upon receipt of a complaint submitted pursuant to 855
division (B) of this section, the secretary of state shall 856
review the complaint and evaluate whether the complaint 857
indicates a violation of division (A) of this section and 858
satisfies the requirements of division (B) of this section. 859

(2) The secretary of state may refer the complaint to the 860
prosecuting attorney of the county in which the person alleged 861
to have committed the violation resides or is believed to 862
reside, based on the best available information, for any 863
potential criminal investigation. 864

(D) If the secretary of state determines that the 865
information provided in a complaint does not indicate a 866
violation of division (A) of this section or does not satisfy 867
the requirements of division (B) of this section, the secretary 868

of state shall notify the person that submitted the complaint 869
and provide an explanation of any deficiencies in the complaint. 870

(E) The secretary of state may ask a person who submits a 871
complaint to submit additional information concerning either of 872
the following: 873

(1) The alleged violation of division (A) of this section; 874

(2) The person's failure to submit the information 875
required by division (B) of this section. 876

(F) If the secretary of state rejects a complaint for 877
failure to comply with division (B) of this section, the 878
complaint may be resubmitted. 879

(G) (1) If the secretary of state determines that a 880
complaint satisfies the requirements of division (B) of this 881
section and alleges a violation of division (A) of this section, 882
the secretary of state shall send notice and demand to the 883
person who submitted the document described in the complaint 884
made under division (B) of this section as follows: 885

(a) By mail to the person's address if that address is 886
known by, or readily available to, the secretary of state; 887

(b) Electronically to the person's electronic mail 888
address, if that address is known by, or readily available to, 889
the secretary of state; 890

(c) By telephone if the person's telephone number is known 891
by, or readily available to, the secretary of state. 892

(2) The secretary of state may provide written or verbal 893
notice and demand to any other person that the secretary of 894
state determines, through investigation, is a means by which to 895
reach the person who is the subject of the complaint. 896

(3) The secretary of state's notice and demand shall 897
describe the allegations in the complaint and demand that the 898
person respond to the complaint as required by division (H) of 899
this section. 900

(H) A person to which the secretary of state sends a 901
notice and demand shall respond within twenty-one days after the 902
written notice and demand is mailed under division (G) (1) (a) of 903
this section. The response shall include all of the following 904
information: 905

(1) The name, street address, telephone number, and 906
mailing address of the person responding to the notice and 907
demand, and any additional contact information, such as an 908
electronic mail address, that person may wish to provide; 909

(2) If the responding person is the agent of the person to 910
whom the notice and demand was sent, any supporting documents 911
that establish the agent's authority to act on the person's 912
behalf; 913

(3) The name of the entity at issue; 914

(4) Information identifying each person involved in the 915
alleged violation of division (A) of this section, to the extent 916
such information is known by the person responding to the notice 917
and demand, including names, addresses, telephone numbers, web 918
sites, and electronic mail addresses; 919

(5) Information identifying the nature of any business or 920
personal relationship between the person that submitted the 921
complaint and each person involved in the alleged violation of 922
division (A) of this section, excepting any privileged 923
communications or information; 924

(6) A statement that affirms or denies having knowledge of 925

or information about the alleged violation of division (A) of 926
this section; 927

(7) Any material evidence that is reasonably attainable to 928
the person responding to the notice and demand of written 929
consent to use the name or address in the filing at issue in the 930
complaint. 931

(I) If the person that is the subject of the complaint 932
does not respond to the allegations in the complaint within 933
twenty-one days after the secretary of state mails the notice 934
and demand, the person is deemed to have conceded to those 935
allegations. 936

(J) Following a prima facie showing that division (A) of 937
this section was violated, the secretary of state shall proceed 938
as follows: 939

(1) If an entity was created without authorization or for 940
fraudulent purposes, the secretary of state shall do all of the 941
following: 942

(a) Cancel the business record in question with a notice 943
that the entity is unauthorized or fraudulent; 944

(b) Redact each address and name that was used without 945
authorization from the entity's filing and from any other 946
relevant filings; 947

(c) Disable additional filing functionality on the 948
entity's records. 949

(2) If an unauthorized filing was made for a legitimate 950
entity, the secretary of state shall do both of the following: 951

(a) Cancel each unauthorized filing for the entity with a 952
notice that the filing is unauthorized; 953

(b) Redact each address and name that was used without authorization from the entity's filing and from the relevant filings. 954
955
956

(K) Any of the following constitute a prima facie showing that division (A) of this section was violated: 957
958

(1) Concession to the allegations in the complaint by the person that is the subject of the complaint or the person's agent either directly or constructively under division (I) of this section, by failing to timely respond to those allegations; 959
960
961
962

(2) A determination by the secretary of state that the violation occurred, based on the merits of the complaint and any responses to the notice and demand. 963
964
965

(L) The secretary of state shall communicate the outcome of any complaint submitted under this section to all of the following: 966
967
968

(1) The person who submitted the complaint, using the electronic mail address provided on the complaint form or, if an electronic mail address was not provided, using the mailing address provided on the complaint form; 969
970
971
972

(2) Each person at issue, using the person's or person's agent's electronic mail address or, if an electronic mail address was not provided or is not known, the person's or agent's mailing address. 973
974
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(M) Any person adversely affected by the outcome of a complaint under this section may appeal the secretary of state's determination in accordance with section 119.12 of the Revised Code. 977
978
979
980

Sec. 1345.02. (A) No supplier shall commit an unfair or 981

deceptive act or practice in connection with a consumer 982
transaction. Such an unfair or deceptive act or practice by a 983
supplier violates this section whether it occurs before, during, 984
or after the transaction. 985

(B) Without limiting the scope of division (A) of this 986
section, the act or practice of a supplier in representing any 987
of the following is deceptive: 988

(1) That the subject of a consumer transaction has 989
sponsorship, approval, performance characteristics, accessories, 990
uses, or benefits that it does not have; 991

(2) That the subject of a consumer transaction is of a 992
particular standard, quality, grade, style, prescription, or 993
model, if it is not; 994

(3) That the subject of a consumer transaction is new, or 995
unused, if it is not; 996

(4) That the subject of a consumer transaction is 997
available to the consumer for a reason that does not exist; 998

(5) That the subject of a consumer transaction has been 999
supplied in accordance with a previous representation, if it has 1000
not, except that the act of a supplier in furnishing similar 1001
merchandise of equal or greater value as a good faith substitute 1002
does not violate this section; 1003

(6) That the subject of a consumer transaction will be 1004
supplied in greater quantity than the supplier intends; 1005

(7) That replacement or repair is needed, if it is not; 1006

(8) That a specific price advantage exists, if it does 1007
not; 1008

(9) That the supplier has a sponsorship, approval, or 1009
affiliation that the supplier does not have; 1010

(10) That a consumer transaction involves or does not 1011
involve a warranty, a disclaimer of warranties or other rights, 1012
remedies, or obligations if the representation is false. 1013

(C) In construing division (A) of this section, the court 1014
shall give due consideration and great weight to federal trade 1015
commission orders, trade regulation rules and guides, and the 1016
federal courts' interpretations of subsection 45 (a) (1) of the 1017
"Federal Trade Commission Act," 38 Stat. 717 (1914), 15 U.S.C.A. 1018
41, as amended. 1019

(D) No supplier shall offer to a consumer or represent 1020
that a consumer will receive a rebate, discount, or other 1021
benefit as an inducement for entering into a consumer 1022
transaction in return for giving the supplier the names of 1023
prospective consumers, or otherwise helping the supplier to 1024
enter into other consumer transactions, if earning the benefit 1025
is contingent upon an event occurring after the consumer enters 1026
into the transaction. 1027

(E) (1) No supplier, in connection with a consumer 1028
transaction involving natural gas service or public 1029
telecommunications service to a consumer in this state, shall 1030
request or submit, or cause to be requested or submitted, a 1031
change in the consumer's provider of natural gas service or 1032
public telecommunications service, without first obtaining, or 1033
causing to be obtained, the verified consent of the consumer. 1034
For the purpose of this division and with respect to public 1035
telecommunications service only, the procedures necessary for 1036
verifying the consent of a consumer shall be those prescribed by 1037
rule by the public utilities commission for public 1038

telecommunications service under division (D) of section 4905.72 1039
of the Revised Code. Also, for the purpose of this division, the 1040
act, omission, or failure of any officer, agent, or other 1041
individual, acting for or employed by another person, while 1042
acting within the scope of that authority or employment, is the 1043
act or failure of that other person. 1044

(2) Consistent with the exclusion, under 47 C.F.R. 1045
64.1100(a)(3), of commercial mobile radio service providers from 1046
the verification requirements adopted in 47 C.F.R. 64.1100, 1047
64.1150, 64.1160, 64.1170, 64.1180, and 64.1190 by the federal 1048
communications commission, division (E)(1) of this section does 1049
not apply to a provider of commercial mobile radio service 1050
insofar as such provider is engaged in the provision of 1051
commercial mobile radio service. However, when that exclusion no 1052
longer is in effect, division (E)(1) of this section shall apply 1053
to such a provider. 1054

(3) The attorney general may initiate criminal proceedings 1055
for a prosecution under division (C) of section 1345.99 of the 1056
Revised Code by presenting evidence of criminal violations to 1057
the prosecuting attorney of any county in which the offense may 1058
be prosecuted. If the prosecuting attorney does not prosecute 1059
the violations, or at the request of the prosecuting attorney, 1060
the attorney general may proceed in the prosecution with all the 1061
rights, privileges, and powers conferred by law on prosecuting 1062
attorneys, including the power to appear before grand juries and 1063
to interrogate witnesses before grand juries. 1064

(F) Concerning a consumer transaction in connection with a 1065
residential mortgage, and without limiting the scope of division 1066
(A) or (B) of this section, the act of a supplier in doing 1067
either of the following is deceptive: 1068

(1) Knowingly failing to provide disclosures required	1069
under state and federal law;	1070
(2) Knowingly providing a disclosure that includes a	1071
material misrepresentation.	1072
(G) Without limiting the scope of division (A) of this	1073
section, the failure of a supplier to obtain or maintain any	1074
registration, license, bond, or insurance required by state law	1075
or local ordinance for the supplier to engage in the supplier's	1076
trade or profession is an unfair or deceptive act or practice.	1077
<u>(H) A violation of section 111.242 of the Revised Code is</u>	1078
<u>an unfair or deceptive act or practice.</u>	1079
Sec. 1701.07. (A) Every corporation shall have and	1080
maintain an agent, sometimes referred to as the "statutory	1081
agent," upon whom any process, notice, or demand required or	1082
permitted by statute to be served upon a corporation may be	1083
served. The agent shall be one of the following:	1084
(1) A natural person who is a resident of this state;	1085
(2) A domestic or foreign corporation, nonprofit	1086
corporation, limited liability company, partnership, limited	1087
partnership, limited liability partnership, limited partnership	1088
association, professional association, business trust, or	1089
unincorporated nonprofit association that has a business address	1090
in this state. If the agent is an entity other than a domestic	1091
corporation, the agent shall meet the requirements of Title XVII	1092
of the Revised Code for an entity of the agent's type to	1093
transact business or exercise privileges in this state.	1094
(B) The secretary of state shall not accept original	1095
articles for filing unless there is filed with the articles a	1096
written appointment of an agent that is signed by the	1097

incorporators of the corporation or a majority of them and a 1098
written acceptance of the appointment that is signed by the 1099
agent. In all other cases, the corporation shall appoint the 1100
agent and shall file in the office of the secretary of state a 1101
written appointment of the agent that is signed by any 1102
authorized officer of the corporation and a written acceptance 1103
of the appointment that is either the original acceptance signed 1104
by the agent or a photocopy, facsimile, or similar reproduction 1105
of the original acceptance signed by the agent. 1106

~~(C)~~ (C) (1) The written appointment of an agent shall set 1107
forth the name and address in this state of the agent, including 1108
the street and number ~~or other particular description of the~~ 1109
agent's primary residence in this state or, if the agent is not 1110
a natural person, the agent's usual place of business in this 1111
state, and shall otherwise be in such form as the secretary of 1112
state prescribes. The secretary of state shall keep a record of 1113
the names of corporations, and the names and addresses of their 1114
respective agents. 1115

(2) As used in division (C) (1) of this section, "usual 1116
place of business" means a place in this state that is 1117
customarily open during normal business hours and where an 1118
individual is generally present who is authorized to perform the 1119
services of a registered agent, including accepting service of 1120
process and other notifications for the person serving as a 1121
statutory agent. "Usual place of business" does not include a 1122
post office box, regardless of whether that post office box has 1123
an associated street address. 1124

(D) If any agent dies, removes from the state, or resigns, 1125
the corporation shall forthwith appoint another agent and file 1126
with the secretary of state, on a form prescribed by the 1127

secretary of state, a written appointment of the agent. 1128

(E) If the agent changes the agent's address from that 1129
appearing upon the record in the office of the secretary of 1130
state, the corporation or the agent shall forthwith file with 1131
the secretary of state, on a form prescribed by the secretary of 1132
state, a written statement setting forth the new address. 1133

(F) An agent may resign by filing with the secretary of 1134
state, on a form prescribed by the secretary of state, a written 1135
notice to that effect that is signed by the agent and by sending 1136
a copy of the notice to the corporation at the current or last 1137
known address of its principal office on or prior to the date 1138
the notice is filed with the secretary of state. The notice 1139
shall set forth the name of the corporation, the name and 1140
current address of the agent, the current or last known address, 1141
including the street and number or other particular description, 1142
of the corporation's principal office, the resignation of the 1143
agent, and a statement that a copy of the notice has been sent 1144
to the corporation within the time and in the manner prescribed 1145
by this division. Upon the expiration of thirty days after the 1146
filing, the authority of the agent shall terminate. 1147

(G) A corporation may revoke the appointment of an agent 1148
by filing with the secretary of state, on a form prescribed by 1149
the secretary of state, a written appointment of another agent 1150
and a statement that the appointment of the former agent is 1151
revoked. 1152

(H) Any process, notice, or demand required or permitted 1153
by statute to be served upon a corporation may be served upon 1154
the corporation by delivering a copy of it to its agent, if a 1155
natural person, or by delivering a copy of it at the address of 1156
its agent in this state, as the address appears upon the record 1157

in the office of the secretary of state. If (1) the agent cannot 1158
be found, or (2) the agent no longer has that address, or (3) 1159
the corporation has failed to maintain an agent as required by 1160
this section, and if in any such case the party desiring that 1161
the process, notice, or demand be served, or the agent or 1162
representative of the party, shall have filed with the secretary 1163
of state an affidavit stating that one of the foregoing 1164
conditions exists and stating the most recent address of the 1165
corporation that the party after diligent search has been able 1166
to ascertain, then service of process, notice, or demand upon 1167
the secretary of state, as the agent of the corporation, may be 1168
initiated by delivering to the secretary of state or at the 1169
secretary of state's office quadruplicate copies of such 1170
process, notice, or demand and by paying to the secretary of 1171
state a fee of five dollars. The secretary of state shall 1172
forthwith give notice of the delivery to the corporation at its 1173
principal office as shown upon the record in the secretary of 1174
state's office and at any different address shown on its last 1175
franchise tax report filed in this state, or to the corporation 1176
at any different address set forth in the above mentioned 1177
affidavit, and shall forward to the corporation at said 1178
addresses, by certified mail, with request for return receipt, a 1179
copy of the process, notice, or demand; and thereupon service 1180
upon the corporation shall be deemed to have been made. 1181

(I) The secretary of state shall keep a record of each 1182
process, notice, and demand delivered to the secretary of state 1183
or at the secretary of state's office under this section or any 1184
other law of this state that authorizes service upon the 1185
secretary of state, and shall record the time of the delivery 1186
and the action thereafter with respect thereto. 1187

(J) This section does not limit or affect the right to 1188

serve any process, notice, or demand upon a corporation in any 1189
other manner permitted by law. 1190

(K) Every corporation shall state in each annual report 1191
filed by it with the department of taxation the name and address 1192
of its statutory agent. 1193

(L) Except when an original appointment of an agent is 1194
filed with the original articles, a written appointment of an 1195
agent or a written statement filed by a corporation with the 1196
secretary of state shall be signed by any authorized officer of 1197
the corporation or by the incorporators of the corporation or a 1198
majority of them if no directors have been elected. 1199

(M) For filing a written appointment of an agent other 1200
than one filed with original articles, and for filing a 1201
statement of change of address of an agent, the secretary of 1202
state shall charge and collect the fee specified in division (R) 1203
of section 111.16 of the Revised Code. 1204

(N) Upon the failure of a corporation to appoint another 1205
agent or to file a statement of change of address of an agent, 1206
the secretary of state shall give notice thereof by ordinary or 1207
electronic mail to the corporation at the electronic mail 1208
address provided to the secretary of state, or at the address 1209
set forth in the notice of resignation or on the last franchise 1210
tax return filed in this state by the corporation. Unless the 1211
default is cured within thirty days after the mailing by the 1212
secretary of state of the notice or within any further period of 1213
time that the secretary of state grants, upon the expiration of 1214
that period of time from the date of the mailing, the articles 1215
of the corporation shall be canceled without further notice or 1216
action by the secretary of state. The secretary of state shall 1217
make a notation of the cancellation on the secretary of state's 1218

records. 1219

A corporation whose articles have been canceled may be 1220
reinstated by filing, within two years of the cancellation, on a 1221
form prescribed by the secretary of state, an application for 1222
reinstatement and the required appointment of agent or required 1223
statement, and by paying the filing fee specified in division 1224
(Q) of section 111.16 of the Revised Code. The rights, 1225
privileges, and franchises of a corporation whose articles have 1226
been reinstated are subject to section 1701.922 of the Revised 1227
Code. The secretary of state shall furnish the tax commissioner 1228
a monthly list of all corporations canceled and reinstated under 1229
this division. 1230

(O) This section does not apply to banks, trust companies, 1231
insurance companies, or any corporation defined under the laws 1232
of this state as a public utility for taxation purposes. 1233

Sec. 1702.06. (A) Every corporation shall have and 1234
maintain an agent, sometimes referred to as the "statutory 1235
agent," upon whom any process, notice, or demand required or 1236
permitted by statute to be served upon a corporation may be 1237
served. The agent shall be one of the following: 1238

(1) A natural person who is a resident of this state; 1239

(2) A domestic or foreign corporation, nonprofit 1240
corporation, limited liability company, partnership, limited 1241
partnership, limited liability partnership, limited partnership 1242
association, professional association, business trust, or 1243
unincorporated nonprofit association that has a business address 1244
in this state. If the agent is an entity other than a domestic 1245
corporation, the agent shall meet the requirements of Title XVII 1246
of the Revised Code for an entity of the agent's type to 1247

transact business or exercise privileges in this state. 1248

(B) The secretary of state shall not accept original 1249
articles for filing unless there is filed with the articles a 1250
written appointment of an agent signed by the incorporators of 1251
the corporation or a majority of them and a written acceptance 1252
of the appointment signed by the agent. In all other cases, the 1253
corporation shall appoint the agent and shall file in the office 1254
of the secretary of state a written appointment of the agent 1255
that is signed by any authorized officer of the corporation and 1256
a written acceptance of the appointment that is either the 1257
original acceptance signed by the agent or a photocopy, 1258
facsimile, or similar reproduction of the original acceptance 1259
signed by the agent. 1260

~~(C)~~ (C) (1) The written appointment of an agent shall set 1261
forth the name and address in this state of the agent, including 1262
the street and number ~~or other particular description of the~~ 1263
agent's primary residence in this state or, if the agent is not 1264
a natural person, the agent's usual place of business in this 1265
state, and shall otherwise be in such form as the secretary of 1266
state prescribes. The secretary of state shall keep a record of 1267
the names of corporations and the names and addresses of their 1268
respective agents. 1269

(2) As used in division (C) (1) of this section, "usual 1270
place of business" means a place in this state that is 1271
customarily open during normal business hours and where an 1272
individual is generally present who is authorized to perform the 1273
services of a registered agent, including accepting service of 1274
process and other notifications for the person serving as a 1275
statutory agent. "Usual place of business" does not include a 1276
post office box, regardless of whether that post office box has 1277

an associated street address. 1278

(D) If any agent dies, removes from the state, or resigns, 1279
the corporation shall forthwith appoint another agent and file 1280
with the secretary of state, on a form prescribed by the 1281
secretary of state, a written appointment of that agent. 1282

(E) If the agent changes the agent's address from that 1283
appearing upon the record in the office of the secretary of 1284
state, the corporation or the agent shall forthwith file with 1285
the secretary of state, on a form prescribed by the secretary of 1286
state, a written statement setting forth the new address. 1287

(F) An agent may resign by filing with the secretary of 1288
state, on a form prescribed by the secretary of state, a written 1289
notice to that effect that is signed by the agent and by sending 1290
a copy of the notice to the corporation at the current or last 1291
known address of its principal office on or prior to the date 1292
that notice is filed with the secretary of state. The notice 1293
shall set forth the name of the corporation, the name and 1294
current address of the agent, the current or last known address, 1295
including the street and number or other particular description, 1296
of the corporation's principal office, the resignation of the 1297
agent, and a statement that a copy of the notice has been sent 1298
to the corporation within the time and in the manner prescribed 1299
by this division. Upon the expiration of sixty days after such 1300
filing, the authority of the agent shall terminate. 1301

(G) A corporation may revoke the appointment of an agent 1302
by filing with the secretary of state, on a form prescribed by 1303
the secretary of state, a written appointment of another agent 1304
and a statement that the appointment of the former agent is 1305
revoked. 1306

(H) Any process, notice, or demand required or permitted 1307
by statute to be served upon a corporation may be served upon 1308
the corporation by delivering a copy of it to its agent, if a 1309
natural person, or by delivering a copy of it at the address of 1310
its agent in this state, as such address appears upon the record 1311
in the office of the secretary of state. If (1) the agent cannot 1312
be found, or (2) the agent no longer has that address, or (3) 1313
the corporation has failed to maintain an agent as required by 1314
this section, and if in any such case the party desiring that 1315
such process, notice, or demand be served, or the agent or 1316
representative of the party, shall have filed with the secretary 1317
of state an affidavit stating that one of the foregoing 1318
conditions exists and stating the most recent address of the 1319
corporation that the party after diligent search has been able 1320
to ascertain, then service of process, notice, or demand upon 1321
the secretary of state, as the agent of the corporation, may be 1322
initiated by delivering to the secretary of state or at the 1323
secretary of state's office triplicate copies of such process, 1324
notice, or demand and by paying to the secretary of state a fee 1325
of five dollars. The secretary of state shall forthwith give 1326
notice of such delivery to the corporation at its principal 1327
office as shown upon the record in the secretary of state's 1328
office and also to the corporation at any different address set 1329
forth in the above mentioned affidavit, and shall forward to the 1330
corporation at each of those addresses, by certified mail, with 1331
request for return receipt, a copy of such process, notice, or 1332
demand; and thereupon service upon the corporation shall be 1333
deemed to have been made. 1334

(I) The secretary of state shall keep a record of each 1335
process, notice, and demand delivered to the secretary of state 1336
or at the secretary of state's office under this section or any 1337

other law of this state that authorizes service upon the 1338
secretary of state, and shall record the time of such delivery 1339
and the secretary of state's action thereafter with respect 1340
thereto. 1341

(J) This section does not limit or affect the right to 1342
serve any process, notice, or demand upon a corporation in any 1343
other manner permitted by law. 1344

(K) Except when an original appointment of an agent is 1345
filed with the original articles, a written appointment of an 1346
agent or a written statement filed by a corporation with the 1347
secretary of state shall be signed by any authorized officer of 1348
the corporation or by the incorporators of the corporation or a 1349
majority of them if no directors have been elected. 1350

(L) For filing a written appointment of an agent other 1351
than one filed with original articles, and for filing a 1352
statement of change of address of an agent, the secretary of 1353
state shall charge and collect the fee specified in division (R) 1354
of section 111.16 of the Revised Code. 1355

(M) Upon the failure of any corporation to appoint another 1356
agent or to file a statement of change of address of an agent, 1357
the secretary of state shall give notice thereof by certified 1358
mail to the corporation at the address set forth in the notice 1359
of resignation or on the most recent statement of continued 1360
existence filed in this state by the corporation. Unless the 1361
failure is cured within thirty days after the mailing by the 1362
secretary of state of the notice or within any further period 1363
the secretary of state grants, upon the expiration of that 1364
period, the articles of the corporation shall be canceled 1365
without further notice or action by the secretary of state. The 1366
secretary of state shall make a notation of the cancellation on 1367

the secretary of state's records. A corporation whose articles 1368
have been canceled may be reinstated by filing, within two years 1369
of the cancellation, on a form prescribed by the secretary of 1370
state, an application for reinstatement and the required 1371
appointment of agent or required statement, and by paying the 1372
filing fee specified in division (Q) of section 111.16 of the 1373
Revised Code. The rights, privileges, and franchises of a 1374
corporation whose articles have been reinstated are subject to 1375
section 1702.60 of the Revised Code. The secretary of state 1376
shall furnish the tax commissioner a monthly list of all 1377
corporations canceled and reinstated under this division. 1378

(N) This section does not apply to banks, trust companies, 1379
insurance companies, or any corporation defined under the laws 1380
of this state as a public utility for taxation purposes. 1381

Sec. 1702.59. (A) Every nonprofit corporation, 1382
incorporated under the general corporation laws of this state, 1383
or previous laws, or under special provisions of the Revised 1384
Code, or created before September 1, 1851, which corporation has 1385
expressedly or impliedly elected to be governed by the laws 1386
passed since that date, and whose articles or other documents 1387
are filed with the secretary of state, shall file with the 1388
secretary of state a verified statement of continued existence, 1389
signed by a director, officer, or three members in good 1390
standing, setting forth the corporate name, the place where the 1391
principal office of the corporation is located, the date of 1392
incorporation, the fact that the corporation is still actively 1393
engaged in exercising its corporate privileges, and the name and 1394
address of its agent appointed pursuant to section 1702.06 of 1395
the Revised Code. 1396

(B) Each corporation required to file a statement of 1397

continued existence shall file it with the secretary of state 1398
within each five years after the date of incorporation or of the 1399
last corporate filing. 1400

(C) Corporations specifically exempted by division (N) of 1401
section 1702.06 of the Revised Code, or whose activities are 1402
regulated or supervised by another state official, agency, 1403
bureau, department, or commission are exempted from this 1404
section. 1405

(D) The secretary of state shall give notice by ordinary 1406
or electronic mail and provide a form for compliance with this 1407
section to each corporation required by this section to file the 1408
statement of continued existence, such notice and form to be 1409
mailed to the last known physical or electronic mail address of 1410
the corporation as it appears on the records of the secretary of 1411
state or which the secretary of state may ascertain upon a 1412
reasonable search. 1413

(E) If any nonprofit corporation required by this section 1414
to file a statement of continued existence fails to file the 1415
statement required every fifth year, then the secretary of state 1416
shall cancel the articles of such corporation, make a notation 1417
of the cancellation on the records, and mail to the corporation 1418
a certificate of the action so taken. 1419

(F) A corporation whose articles have been canceled may be 1420
reinstated by filing, within two years of the cancellation, an 1421
application for reinstatement and paying to the secretary of 1422
state the fee specified in division (Q) of section 111.16 of the 1423
Revised Code. The name of a corporation whose articles have been 1424
canceled shall be reserved for a period of one year after the 1425
date of cancellation. If the reinstatement is not made within 1426
one year from the date of the cancellation of its articles of 1427

incorporation and it appears that a corporate name, limited 1428
liability company name, limited liability partnership name, 1429
limited partnership name, or trade name has been filed, the name 1430
of which is not distinguishable upon the record as provided in 1431
section 1702.06 of the Revised Code, the applicant for 1432
reinstatement shall be required by the secretary of state, as a 1433
condition prerequisite to such reinstatement, to amend its 1434
articles by changing its name. A certificate of reinstatement 1435
may be filed in the recorder's office of any county in the 1436
state, for which the recorder shall charge and collect a base 1437
fee of one dollar for services and a housing trust fund fee of 1438
one dollar pursuant to section 317.36 of the Revised Code. The 1439
rights, privileges, and franchises of a corporation whose 1440
articles have been reinstated are subject to section 1702.60 of 1441
the Revised Code. 1442

(G) The secretary of state shall furnish the tax 1443
commissioner a list of all corporations failing to file the 1444
required statement of continued existence. 1445

Sec. 1703.041. (A) Every foreign corporation for profit 1446
that is licensed to transact business in this state, and every 1447
foreign nonprofit corporation that is licensed to exercise its 1448
privileges in this state, shall have and maintain an agent, 1449
sometimes referred to as the "designated agent," upon whom 1450
process against the corporation may be served within this state. 1451
The agent shall be one of the following: 1452

(1) A natural person who is a resident of this state; 1453

(2) A domestic or foreign corporation, nonprofit 1454
corporation, limited liability company, partnership, limited 1455
partnership, limited liability partnership, limited partnership 1456
association, professional association, business trust, or 1457

unincorporated nonprofit association that has a business address 1458
in this state. If the agent is an entity other than a domestic 1459
corporation, the agent shall meet the requirements of Title XVII 1460
of the Revised Code for an entity of the agent's type to 1461
transact business or exercise privileges in this state. 1462

~~(B)~~ (B) (1) The written appointment of a designated agent 1463
shall set forth the name and address of the agent, including the 1464
street and number ~~or other particular description of the agent's~~ 1465
primary residence in this state or, if the agent is not a 1466
natural person, the agent's usual place of business in this 1467
state, and shall otherwise be in such form as the secretary of 1468
state prescribes. The secretary of state shall keep a record of 1469
the names of such foreign corporations and the names and 1470
addresses of their respective agents. 1471

(2) As used in division (B) (1) of this section, "usual 1472
place of business" means a place in this state that is 1473
customarily open during normal business hours and where an 1474
individual is generally present who is authorized to perform the 1475
services of a registered agent, including accepting service of 1476
process and other notifications for the person serving as a 1477
statutory agent. "Usual place of business" does not include a 1478
post office box, regardless of whether that post office box has 1479
an associated street address. 1480

(C) If the designated agent dies, removes from the state, 1481
or resigns, the foreign corporation shall forthwith appoint 1482
another agent and file in the office of the secretary of state, 1483
on a form prescribed by the secretary of state, a written 1484
appointment of the new agent. 1485

(D) If the designated agent changes the agent's address 1486
from that appearing upon the record in the office of the 1487

secretary of state, the foreign corporation or the designated 1488
agent in its behalf shall forthwith file with the secretary of 1489
state, on a form prescribed by the secretary of state, a written 1490
statement setting forth the agent's new address. 1491

(E) A designated agent may resign by filing with the 1492
secretary of state, on a form prescribed by the secretary of 1493
state, a signed statement to that effect. The secretary of state 1494
shall forthwith mail a copy of the statement to the foreign 1495
corporation at its principal office as shown by the record in 1496
the secretary of state's office. Upon the expiration of sixty 1497
days after the filing, the authority of the agent shall 1498
terminate. 1499

(F) A foreign corporation may revoke the appointment of a 1500
designated agent by filing with the secretary of state, on a 1501
form prescribed by the secretary of state, a written appointment 1502
of another agent and a statement that the appointment of the 1503
former agent is revoked. 1504

(G) Process may be served upon a foreign corporation by 1505
delivering a copy of it to its designated agent, if a natural 1506
person, or by delivering a copy of it at the address of its 1507
agent in this state, as the address appears upon the record in 1508
the office of the secretary of state. 1509

(H) This section does not limit or affect the right to 1510
serve process upon a foreign corporation in any other manner 1511
permitted by law. 1512

(I) Every foreign corporation for profit shall state in 1513
each annual report filed by it with the department of taxation 1514
the name and address of its designated agent in this state. 1515

Sec. 1703.15. No foreign corporation shall transact in 1516

this state any business that could not be lawfully transacted by 1517
a domestic corporation. Whenever the secretary of state finds 1518
that a foreign corporation licensed to transact business in this 1519
state is transacting in this state a business that a domestic 1520
corporation could not lawfully transact, is transacting business 1521
in this state in a corporate name that is not readily 1522
distinguishable from the name of every other corporation, 1523
limited liability company, limited liability partnership, or 1524
limited partnership, domestic or foreign, or every trade name, 1525
registered in the office of the secretary of state, theretofore 1526
authorized to transact business in this state, without the 1527
consent of the other corporation, limited liability company, 1528
limited liability partnership, limited partnership, or trade 1529
name registrant, evidenced in writing filed with the secretary 1530
of state pursuant to section 1703.04 of the Revised Code, or has 1531
failed, after the death or resignation of its designated agent 1532
or the designated agent's removal from this state, to designate 1533
another agent as required by section 1703.041 of the Revised 1534
Code, the secretary of state shall give notice thereof by 1535
certified mail to the corporation. Unless that failure is cured 1536
within thirty days after the mailing by the secretary of state 1537
of the notice or within such further period as the secretary of 1538
state grants, the secretary of state, upon the expiration of 1539
such period, shall cancel the license of the foreign corporation 1540
to transact business in this state, give notice of the 1541
cancellation to the corporation by mail, and make a notation of 1542
the cancellation on the secretary of state's records. 1543

A foreign corporation whose license has been canceled may 1544
be reinstated upon its filing with the secretary of state, 1545
within two years of the cancellation, on a form prescribed by 1546
the secretary of state, an application for reinstatement 1547

accompanied by the fee specified in division (Q) of section 1548
111.16 of the Revised Code. If the application for reinstatement 1549
is submitted in a tax year or calendar year other than that in 1550
which the cancellation occurred, the application also shall be 1551
accompanied by a certificate of reinstatement issued by the 1552
department of taxation. The name of a corporation whose license 1553
has been canceled pursuant to this section shall be reserved for 1554
a period of one year after the date of cancellation. If the 1555
reinstatement is not made within one year after the date of 1556
cancellation of the foreign license and it appears that a 1557
corporate name, limited liability company name, limited 1558
liability partnership name, limited partnership name, or trade 1559
name has been filed, the name of which is not distinguishable 1560
upon the record as provided in division (D) of section 1703.04 1561
of the Revised Code, the secretary of state shall require the 1562
applicant for the reinstatement, as a condition prerequisite to 1563
such reinstatement, to apply for authorization to transact 1564
business in this state under an assumed name. 1565

Sec. 1703.29. (A) The failure of any corporation to obtain 1566
a license under sections 1703.01 to 1703.31 of the Revised Code, 1567
does not affect the validity of any contract with such 1568
corporation, but no foreign corporation that should have 1569
obtained such license shall maintain any action in any court 1570
until it has obtained such license. Before any such corporation 1571
shall maintain such action on any cause of action arising at the 1572
time when it was not licensed to transact business in this 1573
state, it shall pay to the secretary of state a forfeiture of 1574
two hundred fifty dollars and file in the secretary of state's 1575
office the papers required by divisions (B) or (C) of this 1576
section, whichever is applicable. 1577

(B) If such corporation has not been previously licensed 1578

to do business in this state or if its license has been 1579
surrendered it shall file as required by division (A) of this 1580
section: 1581

(1) Its application for a license certificate, together 1582
with the filing fee, with such information as the secretary of 1583
state requires as to the time it began to transact business in 1584
this state and as to the number of its issued shares represented 1585
in this state, and with the license fees on its shares 1586
represented in this state plus a forfeiture of fifteen per cent 1587
thereon. 1588

(2) A certificate from the tax commissioner that the 1589
corporation has paid all taxes that it should have paid had it 1590
qualified to do business in this state at the time it began to 1591
do so, plus any penalties assessable on said taxes on account of 1592
failure to pay them within the time prescribed by law, or a 1593
certificate of the commissioner that the corporation has 1594
furnished security satisfactory to the commissioner for the 1595
payment of all such taxes and penalties. 1596

(C) If such corporation has been previously licensed to 1597
transact business in this state and its license has expired or 1598
has been canceled by the secretary of state upon order of the 1599
commissioner, or for failure to designate an agent for service 1600
of process, it shall file, within two years of the cancellation 1601
or expiration, with the secretary of state its application for 1602
reinstatement, as provided by law, together with the proper 1603
reinstatement fee plus a forfeiture of fifteen per cent thereon. 1604

Upon the filing of such application and payment of such 1605
fees and penalties or forfeitures, the secretary of state shall 1606
issue to such corporation a license certificate. 1607

Sec. 1706.09. (A) Each limited liability company and 1608
foreign limited liability company that has an effective 1609
registration as a foreign limited liability company under 1610
section 1706.511 of the Revised Code shall maintain continuously 1611
in this state an agent for service of process on the company. 1612
The agent shall be one of the following: 1613

(1) A natural person who is a resident of this state; 1614

(2) A domestic or foreign corporation, nonprofit 1615
corporation, limited liability company, partnership, limited 1616
partnership, limited liability partnership, limited partnership 1617
association, professional association, business trust, or 1618
unincorporated nonprofit association that has a business address 1619
in this state. If the agent is an entity other than a domestic 1620
corporation, the agent shall meet the requirements of Title XVII 1621
of the Revised Code for an entity of the agent's type to 1622
transact business or exercise privileges in this state. 1623

(B) (1) The secretary of state shall not accept original 1624
articles of organization of a limited liability company or an 1625
original registration of a foreign limited liability company for 1626
filing unless both of the following accompany the articles or 1627
registration: 1628

(a) A written appointment of an agent as described in 1629
division (A) of this section that is signed by an authorized 1630
representative of the limited liability company or foreign 1631
limited liability company; 1632

(b) A written acceptance of the appointment that is signed 1633
by the designated agent on a form prescribed by the secretary of 1634
state. 1635

(2) In cases not covered by division (B) (1) of this 1636

section, the company shall appoint the agent described in 1637
division (A) of this section and shall file with the secretary 1638
of state, on a form prescribed by the secretary of state, a 1639
written appointment of that agent that is signed by an 1640
authorized representative of the company and a written 1641
acceptance of the appointment that is signed by the designated 1642
agent. 1643

~~(C)~~(C) (1) The written appointment of an agent shall set 1644
forth the name and address in this state of the agent, including 1645
the street and number ~~or other particular description of the~~ 1646
agent's primary residence in this state or, if the agent is not 1647
a natural person, the agent's usual place of business in this 1648
state, and shall otherwise be in such form as the secretary of 1649
state prescribes. The secretary of state shall keep a record of 1650
the names of limited liability companies and foreign limited 1651
liability companies, and the names and addresses of their 1652
respective agents. 1653

(2) As used in division (C) (1) of this section, "usual 1654
place of business" means a place in this state that is 1655
customarily open during normal business hours and where an 1656
individual is generally present who is authorized to perform the 1657
services of a registered agent, including accepting service of 1658
process and other notifications for the person serving as a 1659
statutory agent. "Usual place of business" does not include a 1660
post office box, regardless of whether that post office box has 1661
an associated street address. 1662

(D) If any agent described in division (A) of this section 1663
dies, resigns, or moves outside of this state, the limited 1664
liability company or foreign limited liability company shall 1665
appoint forthwith another agent and file with the secretary of 1666

state, on a form prescribed by the secretary of state, a written 1667
appointment of the agent and acceptance of appointment as 1668
described in division (B) (2) of this section. 1669

(E) If the agent described in division (A) of this section 1670
changes the agent's address from the address stated in the 1671
records of the secretary of state, the agent or the limited 1672
liability company or foreign limited liability company shall 1673
file forthwith with the secretary of state, on a form prescribed 1674
by the secretary of state, a written statement setting forth the 1675
new address. 1676

(F) An agent described in division (A) of this section may 1677
resign by filing with the secretary of state, on a form 1678
prescribed by the secretary of state, a written notice of 1679
resignation that is signed by the agent and by mailing a copy of 1680
that notice to the limited liability company or foreign limited 1681
liability company at the current or last known address of its 1682
principal office. The notice shall be mailed to the company on 1683
or prior to the date that the notice is filed with the secretary 1684
of state and shall set forth the name of the company, the name 1685
and current address of the agent, the current or last known 1686
address, including the street and number or other particular 1687
description, of the company's principal office, a statement of 1688
the resignation of the agent, and a statement that a copy of the 1689
notice has been sent to the company within the time and in the 1690
manner specified in this division. The authority of the 1691
resigning agent terminates thirty days after the filing of the 1692
notice with the secretary of state. 1693

(G) A limited liability company or foreign limited 1694
liability company may revoke the appointment of its agent 1695
described in division (A) of this section by filing with the 1696

secretary of state, on a form prescribed by the secretary of 1697
state, a written appointment of another agent and an acceptance 1698
of appointment in the manner described in division (B) (2) of 1699
this section and a statement indicating that the appointment of 1700
the former agent is revoked. 1701

(H) (1) Any legal process, notice, or demand required or 1702
permitted by law to be served upon a limited liability company 1703
may be served upon the company as follows: 1704

(a) By delivering a copy of the process, notice, or demand 1705
to the address of the agent in this state as contained in the 1706
records of the secretary of state; 1707

(b) If the agent described in division (A) of this section 1708
is a natural person, by delivering a copy of the process, 1709
notice, or demand to the agent. 1710

(2) If the agent described in division (A) of this section 1711
cannot be found or no longer has the address that is stated in 1712
the records of the secretary of state or the limited liability 1713
company or foreign limited liability company has failed to 1714
maintain an agent as required by this section and if the party 1715
or the agent or representative of the party that desires service 1716
of the process, notice, or demand files with the secretary of 1717
state an affidavit that states that one of those circumstances 1718
exists and states the most recent address of the company that 1719
the party who desires service has been able to ascertain after a 1720
diligent search, then the service of the process, notice, or 1721
demand upon the secretary of state as the agent of the company 1722
may be initiated by delivering to the secretary of state four 1723
copies of the process, notice, or demand accompanied by a fee of 1724
five dollars. The secretary of state shall give forthwith notice 1725
of that delivery to the company at either its principal office 1726

as shown upon the secretary of state's records or at any 1727
different address specified in the affidavit of the party 1728
desiring service and shall forward to the company at either 1729
address by certified mail, return receipt requested, a copy of 1730
the process, notice, or demand. Service upon the company is made 1731
when the secretary of state gives the notice and forwards the 1732
process, notice, or demand as set forth in division (H) (2) of 1733
this section. 1734

(I) The secretary of state shall keep a record of each 1735
process, notice, and demand that pertains to a limited liability 1736
company or foreign limited liability company and that is 1737
delivered to the secretary of state's office under this section 1738
or another law of this state that authorizes service upon the 1739
secretary of state in connection with a limited liability 1740
company or foreign limited liability company. In that record, 1741
the secretary of state shall record the time of each delivery of 1742
that type and the secretary of state's subsequent action with 1743
respect to the process, notice, or demand. 1744

(J) This section does not limit or affect the right to 1745
serve any process, notice, or demand upon a limited liability 1746
company or foreign limited liability company in any other manner 1747
permitted by law. 1748

(K) A written appointment of an agent or a written 1749
statement filed by a limited liability company or foreign 1750
limited liability company with the secretary of state shall be 1751
signed by an authorized representative of the company. 1752

(L) Upon the failure of a limited liability company or 1753
foreign limited liability company to continuously maintain a 1754
statutory agent or file a change of name or address of a 1755
statutory agent, the secretary of state shall give notice 1756

thereof by ordinary or electronic mail to the company at the 1757
electronic mail address provided to the secretary of state, or 1758
at the address set forth in the notice of resignation. Unless 1759
the default is cured within thirty days after the mailing by the 1760
secretary of state of the notice or within any further period of 1761
time that the secretary of state grants, upon the expiration of 1762
that period of time from the date of the mailing, the articles 1763
of the limited liability company or the registration of the 1764
foreign limited liability company shall be canceled without 1765
further notice or action by the secretary of state. The 1766
secretary of state shall make a notation of the cancellation on 1767
the secretary of state's records. 1768

A limited liability company or foreign limited liability 1769
company whose articles or registration has been canceled may be 1770
reinstated by filing, within two years of the cancellation, on a 1771
form prescribed by the secretary of state, an application for 1772
reinstatement and the required appointment of agent or required 1773
statement, and by paying the filing fee specified in division 1774
(Q) of section 111.16 of the Revised Code. The rights and 1775
privileges of a limited liability company or foreign limited 1776
liability company whose articles or registration has been 1777
reinstated are subject to section 1706.46 of the Revised Code. 1778
The secretary of state shall furnish the tax commissioner a 1779
monthly list of all limited liability companies and foreign 1780
limited liability companies canceled and reinstated under this 1781
division. 1782

Sec. 1729.11. (A) An association whose articles of 1783
incorporation have been canceled or an association that has been 1784
dissolved in a manner other than for a voluntary dissolution as 1785
provided in section 1729.55 of the Revised Code, or a judicial 1786
dissolution as provided in section 1729.61 of the Revised Code, 1787

may be reinstated by filing, within two years of the 1788
cancellation or dissolution, on a form prescribed by the 1789
secretary of state for the administration of this chapter, an 1790
application for reinstatement and the required appointment of a 1791
statutory agent, and by paying a filing fee of ten dollars. 1792

(B) Upon reinstatement of an association's articles of 1793
incorporation, the rights, privileges, and franchises, including 1794
all real or personal property rights and credits and all 1795
contract and other rights, of the association existing at the 1796
time that its articles were canceled or the dissolution became 1797
effective shall continue in effect as if the articles had not 1798
been canceled or the dissolution had not occurred; and the 1799
association shall again be entitled to exercise the rights, 1800
privileges, and franchises authorized by its articles. 1801

Sec. 1746.04. (A) Except as set forth in section 1746.03 1802
of the Revised Code, before transacting business in this state, 1803
a business trust shall file in the office of the secretary of 1804
state, on forms prescribed by the secretary of state, a report 1805
containing the following information: 1806

(1) A list of the names and addresses of its trustees; 1807

(2) The address of its principal office; 1808

(3) In the case of a foreign business trust, the address 1809
of its principal office within this state, if any; 1810

(4) The business names of the business trust, including 1811
any fictitious or assumed names; 1812

~~(5)~~ (5) (a) The name and primary residence or usual place of 1813
business address within this state of a designated agent upon 1814
whom process against the business trust may be served; 1815

(b) As used in division (A) (5) (a) of this section, "usual place of business" means a place in this state that is customarily open during normal business hours and where an individual is generally present who is authorized to perform the services of a registered agent, including accepting service of process and other notifications for the person serving as a statutory agent. "Usual place of business" does not include a post office box, regardless of whether that post office box has an associated street address.

(6) The irrevocable consent of the business trust to service of process upon its designated agent and to service of process upon the secretary of state if, without the registration of another agent with the secretary of state, its designated agent has died, resigned, lost authority, dissolved, become disqualified, or has removed from this state, or if its designated agent cannot, with due diligence, be found.

Such report shall have attached as an exhibit an executed copy of the trust instrument or a true and correct copy of it, certified to be such by a trustee before an official authorized to administer oaths or by a public official in another state in whose office an executed copy is on file.

(B) Not more than ninety days after the occurrence of any event causing any filing, including exhibits, made pursuant to division (A) of this section, or any previous filing made pursuant to this division, to be inaccurate or incomplete, there shall be filed in the office of the secretary of state all information necessary to maintain the accuracy and completeness of such filing.

(C) The secretary of state shall charge and collect the fees specified in division (T) of section 111.16 of the Revised

Code for each filing made under division (A) or (B) of this 1846
section, except for filings under division (B) of this section 1847
pertaining solely to division (A) (5) of this section, for which 1848
the secretary of state shall charge and collect the fee 1849
specified in division (R) of section 111.16 of the Revised Code. 1850

(D) The trust instrument and other information filed in 1851
the office of the secretary of state are matters of public 1852
record, and persons dealing with a business trust are charged 1853
with constructive notice of the contents of any such instrument 1854
or information by reason of such filing. 1855

(E) A copy of a trust instrument or other information 1856
filed in the office of the secretary of state shall be accepted 1857
as prima-facie evidence of the existence of the instrument or 1858
other information and of its contents, and conclusive evidence 1859
of the existence of such record. 1860

(F) The agent designated pursuant to division (A) (5) of 1861
this section shall be one of the following: 1862

(1) A natural person who is a resident of this state; 1863

(2) A domestic or foreign corporation, nonprofit 1864
corporation, limited liability company, partnership, limited 1865
partnership, limited liability partnership, limited partnership 1866
association, professional association, business trust, or 1867
unincorporated nonprofit association that has a business address 1868
in this state. If the agent is an entity other than a domestic 1869
corporation, the agent shall meet the requirements of Title XVII 1870
of the Revised Code for an entity of the agent's type to 1871
transact business or exercise privileges in this state. 1872

Sec. 1747.03. (A) Before transacting real estate business 1873
in this state, a real estate investment trust shall file the 1874

following report in the office of the secretary of state, on 1875
forms prescribed by the secretary of state: 1876

(1) An executed copy of the trust instrument or a true and 1877
correct copy of it, certified to be such by a trustee before an 1878
official authorized to administer oaths or by a public official 1879
in another state in whose office an executed copy is on file; 1880

(2) A list of the names and addresses of its trustees; 1881

(3) The address of its principal office; 1882

(4) In the case of a foreign real estate investment trust, 1883
the address of its principal office within this state, if any; 1884

(5) The business name of the trust; 1885

~~(6)~~ (6) (a) The name and primary residence or usual place of 1886
business address within this state of a designated agent upon 1887
whom process against the trust may be served; 1888

(b) As used in division (A) (6) (a) of this section, "usual 1889
place of business" means a place in this state that is 1890
customarily open during normal business hours and where an 1891
individual is generally present who is authorized to perform the 1892
services of a registered agent, including accepting service of 1893
process and other notifications for the person serving as a 1894
statutory agent. "Usual place of business" does not include a 1895
post office box, regardless of whether that post office box has 1896
an associated street address. 1897

(7) The irrevocable consent of the trust to service of 1898
process on its designated agent and to service of process upon 1899
the secretary of state if, without the registration of another 1900
agent with the secretary of state, its designated agent has 1901
died, resigned, lost authority, dissolved, become disqualified, 1902

or has removed from this state, or if its designated agent 1903
cannot, with due diligence, be found; 1904

(8) Not more than ninety days after the occurrence of any 1905
event causing any filing made pursuant to divisions (A) (2) to 1906
(6) of this section, or any previous filing made pursuant to 1907
this division, to be inaccurate or incomplete, all information 1908
necessary to maintain the accuracy and completeness of such 1909
filing. 1910

(B) For filings under this section, the secretary of state 1911
shall charge and collect the fee specified in division (T) of 1912
section 111.16 of the Revised Code, except for filings under 1913
division (A) (8) of this section pertaining solely to division 1914
(A) (6) of this section, for which the secretary of state shall 1915
charge and collect the fee specified in division (R) of section 1916
111.16 of the Revised Code. 1917

(C) All persons shall be given the opportunity to acquire 1918
knowledge of the contents of the trust instrument and other 1919
information filed in the office of the secretary of state, but 1920
no person dealing with a real estate investment trust shall be 1921
charged with constructive notice of the contents of any such 1922
instrument or information by reason of such filing. 1923

(D) A copy of a trust instrument or other information 1924
filed in the office of the secretary of state is prima-facie 1925
evidence of the existence of the instrument or other information 1926
and of its contents, and is conclusive evidence of the existence 1927
of such record. 1928

(E) The agent designated pursuant to division (A) (6) of 1929
this section shall be one of the following: 1930

(1) A natural person who is a resident of this state; 1931

(2) A domestic or foreign corporation, nonprofit 1932
corporation, limited liability company, partnership, limited 1933
partnership, limited liability partnership, limited partnership 1934
association, professional association, business trust, or 1935
unincorporated nonprofit association that has a business address 1936
in this state. If the agent is an entity other than a domestic 1937
corporation, the agent shall meet the requirements of Title XVII 1938
of the Revised Code for an entity of the agent's type to 1939
transact business or exercise privileges in this state. 1940

Sec. 1776.07. (A) Any partnership that maintains an 1941
effective statement of partnership authority under section 1942
1776.33 of the Revised Code shall maintain continuously in this 1943
state an agent for service of process on the partnership. The 1944
agent shall be one of the following: 1945

(1) A natural person who is a resident of this state; 1946

(2) A domestic or foreign corporation, nonprofit 1947
corporation, limited liability company, partnership, limited 1948
partnership, limited liability partnership, limited partnership 1949
association, professional association, business trust, or 1950
unincorporated nonprofit association that has a business address 1951
in this state. If the agent is an entity other than a domestic 1952
corporation, the agent shall meet the requirements of Title XVII 1953
of the Revised Code for an entity of the agent's type to 1954
transact business or exercise privileges in this state. 1955

~~(B)~~ (B) (1) The secretary of state shall not accept an 1956
original statement of partnership authority for filing unless 1957
the statement of partnership authority includes a written 1958
appointment of an agent as this section requires and a written 1959
acceptance of the appointment signed by the designated agent. 1960

(2) The written appointment of an agent shall set forth 1961
the name and address in this state of the agent, including the 1962
street and number of the agent's primary residence in this state 1963
or, if the agent is not a natural person, the agent's usual 1964
place of business in this state, and shall otherwise be in such 1965
form as the secretary of state prescribes. The secretary of 1966
state shall keep a record of the names of partnerships, and the 1967
names and addresses of their respective agents. 1968

(3) As used in division (B)(2) of this section, "usual 1969
place of business" means a place in this state that is 1970
customarily open during normal business hours and where an 1971
individual is generally present who is authorized to perform the 1972
services of a registered agent, including accepting service of 1973
process and other notifications for the person serving as a 1974
statutory agent. "Usual place of business" does not include a 1975
post office box, regardless of whether that post office box has 1976
an associated street address. 1977

(C) If an agent dies, resigns, or moves outside of this 1978
state, the partnership shall appoint forthwith another agent and 1979
file with the secretary of state an amendment to its statement 1980
of partnership authority appointing a new agent and including a 1981
written acceptance of the appointment that is signed by the 1982
designated agent. 1983

(D) If the address of an agent changes from that stated in 1984
the records of the secretary of state, the partnership forthwith 1985
shall file with the secretary of state an amendment to its 1986
statement of partnership authority setting forth the new 1987
address. 1988

(E) An agent may resign by filing a written and signed 1989
notice of resignation with the secretary of state on a form the 1990

secretary prescribes and mailing a copy of that notice to the 1991
partnership. The agent shall mail the copy of the notice to the 1992
partnership at the current or last known address of its 1993
principal office on or prior to the date that the agent files 1994
the notice with the secretary of state. The notice shall include 1995
the name of the partnership, the name and current address of the 1996
agent, the current or last known address, including the street 1997
and number or other particular description, of the partnership's 1998
principal office, a statement of the resignation of the agent, 1999
and a statement that a copy of the notice was provided to the 2000
partnership within the time and in the manner specified in this 2001
division. The resigning agent's authority terminates thirty days 2002
after filing the notice with the secretary of state. 2003

(F) A partnership may revoke the appointment of its agent 2004
by filing with the secretary of state an amendment to its 2005
statement of partnership authority indicating that the 2006
appointment of the former agent is revoked and that a new agent 2007
is appointed. A written acceptance signed by the new designated 2008
agent shall accompany the filing. 2009

(G) (1) Any legal process, notice, or demand required or 2010
permitted by law to be served upon a partnership with an 2011
effective statement of partnership authority may be served upon 2012
the partnership as follows: 2013

(a) If its agent is a natural person, by delivering a copy 2014
of the process, notice, or demand to the agent; 2015

(b) If its agent is not a natural person, by delivering a 2016
copy of the process, notice, or demand to the address of the 2017
agent in this state as contained in the records of the secretary 2018
of state. 2019

(2) (a) If its agent cannot be found or no longer has the address stated in the records of the secretary of state or the partnership has failed to maintain an agent as this section requires, and the party, agent, or representative that desires service files with the secretary of state an affidavit stating that one of those circumstances exists and the most recent address of the partnership ascertained after a diligent search, then service upon the secretary of state as the agent of the partnership may be initiated by delivering to the secretary of state four copies of the process, notice, or demand accompanied by a fee of not less than five and not more than seven dollars, as determined by the secretary of state.

(b) The secretary of state forthwith shall give notice of that delivery to the partnership at either its principal office as shown upon the secretary of state's records or at any different address specified in the affidavit of the party desiring service and shall forward to the partnership at either address by certified mail, return receipt requested, a copy of the process, notice, or demand.

(c) Service upon the partnership is made when the secretary of state gives the notice and forwards the process, notice, or demand as set forth in division (G) (2) of this section.

(H) The secretary of state shall keep a record of each process, notice, and demand that pertains to a partnership and that is delivered to the secretary of state's office under this section or another law of this state that authorizes service upon the secretary of state in connection with a partnership. In that record, the secretary shall record the time of each delivery of that type and the secretary's subsequent action with

respect to the process, notice, or demand. 2050

(I) Nothing in this section limits or affects the right to 2051
serve process in any other manner now or hereafter provided by 2052
law. This section is an extension of, and not a limitation upon, 2053
the right otherwise existing of service of legal process. 2054

Sec. 1782.04. (A) Each limited partnership shall maintain 2055
continuously in this state an agent for service of process on 2056
the limited partnership. The agent shall be one of the 2057
following: 2058

(1) A natural person who is a resident of this state; 2059

(2) A domestic or foreign corporation, nonprofit 2060
corporation, limited liability company, partnership, limited 2061
partnership, limited liability partnership, limited partnership 2062
association, professional association, business trust, or 2063
unincorporated nonprofit association that has a business address 2064
in this state. If the agent is an entity other than a domestic 2065
corporation, the agent shall meet the requirements of Title XVII 2066
of the Revised Code for an entity of the agent's type to 2067
transact business or exercise privileges in this state. 2068

(B) The secretary of state shall not accept a certificate 2069
of limited partnership for filing unless there is filed with the 2070
certificate a written appointment of an agent that is signed by 2071
the general partners of the limited partnership and a written 2072
acceptance of the appointment that is signed by the agent, or 2073
unless there is filed a written appointment of an agent that is 2074
signed by any authorized officer of the limited partnership and 2075
a written acceptance of the appointment that is either the 2076
original acceptance signed by the agent or a photocopy, 2077
facsimile, or similar reproduction of the original acceptance 2078

signed by the agent. 2079

In the discretion of the secretary of state, an original 2080
appointment of statutory agent may be submitted on the same form 2081
as the certificate of limited partnership but shall not be 2082
considered a part of the certificate. 2083

~~(C)~~ (C) (1) The written appointment of an agent shall set 2084
forth the name and address in this state of the agent, including 2085
the street and number ~~or other particular description of the~~ 2086
agent's primary residence in this state or, if the agent is not 2087
a natural person, the agent's usual place of business in this 2088
state, and shall otherwise be in the form the secretary of state 2089
prescribes. The secretary of state shall keep a record of the 2090
names of limited partnerships, and the names and addresses of 2091
their respective agents. 2092

(2) As used in division (C) (1) of this section, "usual 2093
place of business" means a place in this state that is 2094
customarily open during normal business hours and where an 2095
individual is generally present who is authorized to perform the 2096
services of a registered agent, including accepting service of 2097
process and other notifications for the person serving as a 2098
statutory agent. "Usual place of business" does not include a 2099
post office box, regardless of whether that post office box has 2100
an associated street address. 2101

(D) If any agent dies, removes from the state, or resigns, 2102
the limited partnership shall forthwith appoint another agent 2103
and file with the secretary of state, on a form prescribed by 2104
the secretary of state, a written appointment of the new agent. 2105

(E) If the agent changes the agent's address from that 2106
appearing upon the record in the office of the secretary of 2107

state, the limited partnership or the agent forthwith shall file 2108
with the secretary of state, on a form prescribed by the 2109
secretary of state, a written statement setting forth the new 2110
address. 2111

(F) An agent may resign by filing with the secretary of 2112
state, on a form prescribed by the secretary of state, a written 2113
notice to that effect that is signed by the agent and by sending 2114
a copy of the notice to the limited partnership at its current 2115
or last known address or its principal office on or prior to the 2116
date the notice is filed with the secretary of state. The notice 2117
shall set forth the name of the limited partnership, the name 2118
and current address of the agent, the current or last known 2119
address, including the street and number or other particular 2120
description, of the limited partnership's principal office, the 2121
resignation of the agent, and a statement that a copy of the 2122
notice has been sent to the limited partnership within the time 2123
and in the manner prescribed by this division. Upon the 2124
expiration of thirty days after the filing, the authority of the 2125
agent shall terminate. 2126

(G) A limited partnership may revoke the appointment of an 2127
agent by filing with the secretary of state, on a form 2128
prescribed by the secretary of state, a written appointment of 2129
another agent and a statement that the appointment of the former 2130
agent is revoked. 2131

(H) Except when an original appointment of an agent is 2132
filed with the certificate of limited partnership, a written 2133
appointment of an agent or a written statement filed by a 2134
limited partnership with the secretary of state shall be signed 2135
by any authorized officer of the limited partnership, or the 2136
general partners of the limited partnership, or a majority of 2137

them. 2138

Sec. 1785.06. A professional association, within thirty 2139
days after the thirtieth day of June in each even-numbered year, 2140
shall furnish a statement to the secretary of state showing the 2141
names and post-office addresses of all of the shareholders in 2142
the association and certifying that all of the shareholders are 2143
duly licensed, certificated, or otherwise legally authorized to 2144
render within this state the same professional service for which 2145
the association was organized or, in the case of a combination 2146
of professional services described in division (B) of section 2147
1785.01 of the Revised Code, to render within this state any of 2148
the applicable types of professional services for which the 2149
association was organized. This statement shall be made on a 2150
form that the secretary of state shall prescribe, shall be 2151
signed by an officer of the association, and shall be filed in 2152
the office of the secretary of state. 2153

If any professional association fails to file the biennial 2154
statement within the time required by this section, the 2155
secretary of state shall give notice of the failure by ordinary 2156
or electronic mail to the last known physical or electronic 2157
address of the association or its agent. If the biennial 2158
statement is not filed within thirty days after the mailing of 2159
the notice, the secretary of state, upon the expiration of that 2160
period, shall cancel the association's articles of 2161
incorporation, give notice of the cancellation to the 2162
association by ordinary or electronic mail sent to the last 2163
known physical or electronic address of the association or its 2164
agent, and make a notation of the cancellation on the records of 2165
the secretary of state. 2166

A professional association whose articles have been 2167

canceled pursuant to this section may be reinstated by filing, 2168
within two years of the cancellation, an application for 2169
reinstatement and the required biennial statement or statements 2170
and by paying the reinstatement fee specified in division (Q) of 2171
section 111.16 of the Revised Code. The rights, privileges, and 2172
franchises of a professional association whose articles have 2173
been reinstated are subject to section 1701.922 of the Revised 2174
Code. The secretary of state shall inform the tax commissioner 2175
of all cancellations and reinstatements under this section. 2176

Sec. 1901.123. (A) (1) Subject to reimbursement under 2177
division (B) of this section, the treasurer of the county in 2178
which a county-operated municipal court or other municipal court 2179
is located shall pay the per diem compensation to which an 2180
acting judge appointed pursuant to division (A) (2) (a), (B) (1), 2181
or (C) (1) of section 1901.121 of the Revised Code is entitled 2182
pursuant to division (A) (1) of section 1901.122 of the Revised 2183
Code. 2184

(2) The treasurer of the county in which a county-operated 2185
municipal court or other municipal court is located shall pay 2186
the per diem compensation to which an assigned judge assigned 2187
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) 2188
of section 1901.121 of the Revised Code is entitled pursuant to 2189
division (B) (1) or (4) of section 1901.122 of the Revised Code. 2190

(3) Subject to reimbursement under division (B) of this 2191
section, the treasurer of the county in which a county-operated 2192
municipal court or other municipal court is located shall pay 2193
the per diem compensation to which an assigned judge assigned 2194
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) 2195
of section 1901.121 of the Revised Code is entitled pursuant to 2196
division (B) (2) of section 1901.122 of the Revised Code. 2197

(4) Subject to reimbursement under division (C) of this section, the supreme court shall pay the per diem compensation to which an assigned judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the Revised Code is entitled pursuant to division (B) (3) of section 1901.122 of the Revised Code.

(B) ~~The treasurer of a~~ A county that, pursuant to division (A) (1) or (3) of this section, is required to pay the per diem compensation to which an acting judge or assigned judge is entitled, shall submit to the administrative director of the supreme court quarterly requests for reimbursements of the state portion of the per diem amounts so paid. The requests shall include verifications of the payment of those amounts and an affidavit from the acting judge or assigned judge stating the days and hours worked. The administrative director shall cause reimbursements of the state portion of the per diem amounts paid to be issued to the county if the administrative director verifies that those amounts were, in fact, so paid. If the county fails to submit a request within one year after the per diem compensation was paid, the administrative director shall refuse to cause reimbursement to be issued.

(C) If the supreme court, pursuant to division (A) (4) of this section, is required to pay the per diem compensation to which an assigned judge is entitled, annually, on the first day of August, the administrative director of the supreme court shall issue a billing to the county treasurer of any county to which such a judge was assigned to a municipal court for reimbursement of the county or local portion of the per diem compensation previously paid by the supreme court for the twelve-month period preceding the last day of June. The county or local portion of the per diem compensation shall be that part

of each per diem paid by the state which is proportional to the 2229
county or local shares of the total compensation of a resident 2230
judge of such court. The county treasurer shall forward the 2231
payment within thirty days. After forwarding the payment, the 2232
county treasurer shall seek reimbursement from the applicable 2233
local municipalities as appropriate. 2234

Sec. 1907.143. (A) (1) Subject to reimbursement under 2235
division (B) of this section, the treasurer of the county in 2236
which a county court is located shall pay the per diem 2237
compensation to which an acting judge appointed pursuant to 2238
division (A) (2) (a), (B) (1), or (C) (1) of section 1907.141 of the 2239
Revised Code is entitled pursuant to division (A) of section 2240
1907.142 of the Revised Code. 2241

(2) The treasurer of the county in which a county court is 2242
located shall pay the per diem compensation to which an assigned 2243
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 2244
or (C) (2) of section 1907.141 of the Revised Code is entitled 2245
pursuant to division (B) (1) or (4) of section 1907.142 of the 2246
Revised Code. 2247

(3) Subject to reimbursement under division (B) of this 2248
section, the treasurer of the county in which a county court is 2249
located shall pay the per diem compensation to which an assigned 2250
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 2251
or (C) (2) of section 1907.141 of the Revised Code is entitled 2252
pursuant to division (B) (2) of section 1907.142 of the Revised 2253
Code. 2254

(4) Subject to reimbursement under division (C) of this 2255
section, the supreme court shall pay the per diem compensation 2256
to which an assigned judge assigned pursuant to division (A) (1), 2257
(A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised 2258

Code is entitled pursuant to division (B) (3) of section 1907.142 2259
of the Revised Code. 2260

(B) ~~The treasurer of a~~ A county that, pursuant to division 2261
(A) (1) or (3) of this section, is required to pay the per diem 2262
compensation to which an acting judge or assigned judge is 2263
entitled, shall submit to the administrative director of the 2264
supreme court quarterly requests for reimbursements of the state 2265
portion of the per diem amounts so paid. The requests shall 2266
include verifications of the payment of those amounts and an 2267
affidavit from the acting judge or assigned judge stating the 2268
days and hours worked. The administrative director shall cause 2269
reimbursements of the state portion of the per diem amounts paid 2270
to be issued to the county if the administrative director 2271
verifies that those amounts were, in fact, so paid. If the 2272
county fails to submit a request within one year after the per 2273
diem compensation was paid, the administrative director shall 2274
refuse to cause reimbursement to be issued. 2275

(C) If the supreme court, pursuant to division (A) (4) of 2276
this section, is required to pay the per diem compensation to 2277
which an assigned judge is entitled, annually, on the first day 2278
of August, the administrative director of the supreme court 2279
shall issue a billing to the county treasurer of any county to 2280
which such a judge was assigned to a county court for 2281
reimbursement of the county portion of the per diem compensation 2282
previously paid by the supreme court for the twelve-month period 2283
preceding the last day of June. The county portion of the per 2284
diem compensation shall be that part of each per diem paid by 2285
the state which is proportional to the county shares of the 2286
total compensation of a resident judge of such court. The county 2287
treasurer shall forward the payment within thirty days. After 2288
forwarding the payment, the county treasurer shall seek 2289

reimbursement from the applicable local municipalities as 2290
appropriate. 2291

Sec. 2923.126. (A) A concealed handgun license that is 2292
issued under section 2923.125 of the Revised Code shall expire 2293
five years after the date of issuance. A licensee who has been 2294
issued a license under that section shall be granted a grace 2295
period of thirty days after the licensee's license expires 2296
during which the licensee's license remains valid. Except as 2297
provided in divisions (B) and (C) of this section, a licensee 2298
who has been issued a concealed handgun license under section 2299
2923.125 or 2923.1213 of the Revised Code may carry a concealed 2300
handgun anywhere in this state if the license is valid when the 2301
licensee is in actual possession of a concealed handgun. The 2302
licensee shall give notice of any change in the licensee's 2303
residence address to the sheriff who issued the license within 2304
forty-five days after that change. 2305

(B) A valid concealed handgun license does not authorize 2306
the licensee to carry a concealed handgun in any manner 2307
prohibited under division (B) of section 2923.12 of the Revised 2308
Code or in any manner prohibited under section 2923.16 of the 2309
Revised Code. A valid license does not authorize the licensee to 2310
carry a concealed handgun into any of the following places: 2311

(1) A police station, sheriff's office, or state highway 2312
patrol station, premises controlled by the bureau of criminal 2313
identification and investigation; a state correctional 2314
institution, jail, workhouse, or other detention facility; any 2315
area of an airport passenger terminal that is beyond a passenger 2316
or property screening checkpoint or to which access is 2317
restricted through security measures by the airport authority or 2318
a public agency; or an institution that is maintained, operated, 2319

managed, and governed pursuant to division (A) of section 2320
5119.14 of the Revised Code or division (A) (1) of section 2321
5123.03 of the Revised Code; 2322

(2) A school safety zone if the licensee's carrying the 2323
concealed handgun is in violation of section 2923.122 of the 2324
Revised Code; 2325

(3) A courthouse or another building or structure in which 2326
a courtroom is located if the licensee's carrying the concealed 2327
handgun is in violation of section 2923.123 of the Revised Code; 2328

(4) Any premises or open air arena for which a D permit 2329
has been issued under Chapter 4303. of the Revised Code if the 2330
licensee's carrying the concealed handgun is in violation of 2331
section 2923.121 of the Revised Code; 2332

(5) Any premises owned or leased by any public or private 2333
college, university, or other institution of higher education, 2334
unless the handgun is in a locked motor vehicle or the licensee 2335
is in the immediate process of placing the handgun in a locked 2336
motor vehicle or unless the licensee is carrying the concealed 2337
handgun pursuant to a written policy, rule, or other 2338
authorization that is adopted by the institution's board of 2339
trustees or other governing body and that authorizes specific 2340
individuals or classes of individuals to carry a concealed 2341
handgun on the premises; 2342

(6) Any church, synagogue, mosque, or other place of 2343
worship, unless the church, synagogue, mosque, or other place of 2344
worship posts or permits otherwise; 2345

(7) Any building that is a government facility of this 2346
state or a political subdivision of this state and that is not a 2347
building that is used primarily as a shelter, restroom, parking 2348

facility for motor vehicles, or rest facility and is not a 2349
courthouse or other building or structure in which a courtroom 2350
is located that is subject to division (B)(3) of this section, 2351
unless the governing body with authority over the building has 2352
enacted a statute, ordinance, or policy that permits a licensee 2353
to carry a concealed handgun into the building; 2354

(8) A place in which federal law prohibits the carrying of 2355
handguns. 2356

(C)(1) Nothing in this section shall negate or restrict a 2357
rule, policy, or practice of a private employer that is not a 2358
private college, university, or other institution of higher 2359
education concerning or prohibiting the presence of firearms on 2360
the private employer's premises or property, including motor 2361
vehicles owned by the private employer. Nothing in this section 2362
shall require a private employer of that nature to adopt a rule, 2363
policy, or practice concerning or prohibiting the presence of 2364
firearms on the private employer's premises or property, 2365
including motor vehicles owned by the private employer. 2366

(2)(a) A private employer shall be immune from liability 2367
in a civil action for any injury, death, or loss to person or 2368
property that allegedly was caused by or related to a licensee 2369
bringing a handgun onto the premises or property of the private 2370
employer, including motor vehicles owned by the private 2371
employer, unless the private employer acted with malicious 2372
purpose. A private employer is immune from liability in a civil 2373
action for any injury, death, or loss to person or property that 2374
allegedly was caused by or related to the private employer's 2375
decision to permit a licensee to bring, or prohibit a licensee 2376
from bringing, a handgun onto the premises or property of the 2377
private employer. 2378

(b) A political subdivision shall be immune from liability 2379
in a civil action, to the extent and in the manner provided in 2380
Chapter 2744. of the Revised Code, for any injury, death, or 2381
loss to person or property that allegedly was caused by or 2382
related to a licensee bringing a handgun onto any premises or 2383
property owned, leased, or otherwise under the control of the 2384
political subdivision. As used in this division, "political 2385
subdivision" has the same meaning as in section 2744.01 of the 2386
Revised Code. 2387

(c) An institution of higher education shall be immune 2388
from liability in a civil action for any injury, death, or loss 2389
to person or property that allegedly was caused by or related to 2390
a licensee bringing a handgun onto the premises of the 2391
institution, including motor vehicles owned by the institution, 2392
unless the institution acted with malicious purpose. An 2393
institution of higher education is immune from liability in a 2394
civil action for any injury, death, or loss to person or 2395
property that allegedly was caused by or related to the 2396
institution's decision to permit a licensee or class of 2397
licensees to bring a handgun onto the premises of the 2398
institution. 2399

(d) A nonprofit corporation shall be immune from liability 2400
in a civil action for any injury, death, or loss to person or 2401
property that allegedly was caused by or related to a licensee 2402
bringing a handgun onto the premises of the nonprofit 2403
corporation, including any motor vehicle owned by the nonprofit 2404
corporation, or to any event organized by the nonprofit 2405
corporation, unless the nonprofit corporation acted with 2406
malicious purpose. A nonprofit corporation is immune from 2407
liability in a civil action for any injury, death, or loss to 2408
person or property that allegedly was caused by or related to 2409

the nonprofit corporation's decision to permit a licensee to 2410
bring a handgun onto the premises of the nonprofit corporation 2411
or to any event organized by the nonprofit corporation. 2412

(3) (a) Except as provided in division (C) (3) (b) of this 2413
section and section 2923.1214 of the Revised Code, the owner or 2414
person in control of private land or premises, and a private 2415
person or entity leasing land or premises owned by the state, 2416
the United States, or a political subdivision of the state or 2417
the United States, may post a sign in a conspicuous location on 2418
that land or on those premises prohibiting persons from carrying 2419
firearms or concealed firearms on or onto that land or those 2420
premises. Except as otherwise provided in this division, a 2421
person who knowingly violates a posted prohibition of that 2422
nature is guilty of criminal trespass in violation of division 2423
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 2424
misdemeanor of the fourth degree. If a person knowingly violates 2425
a posted prohibition of that nature and the posted land or 2426
premises primarily was a parking lot or other parking facility, 2427
the person is not guilty of criminal trespass under section 2428
2911.21 of the Revised Code or under any other criminal law of 2429
this state or criminal law, ordinance, or resolution of a 2430
political subdivision of this state, and instead is subject only 2431
to a civil cause of action for trespass based on the violation. 2432

If a person knowingly violates a posted prohibition of the 2433
nature described in this division and the posted land or 2434
premises is a child care center, type A family child care home, 2435
or type B family child care home, unless the person is a 2436
licensee who resides in a type A family child care home or type 2437
B family child care home, the person is guilty of aggravated 2438
trespass in violation of section 2911.211 of the Revised Code. 2439
Except as otherwise provided in this division, the offender is 2440

guilty of a misdemeanor of the first degree. If the person 2441
previously has been convicted of a violation of this division or 2442
of any offense of violence, if the weapon involved is a firearm 2443
that is either loaded or for which the offender has ammunition 2444
ready at hand, or if the weapon involved is dangerous ordnance, 2445
the offender is guilty of a felony of the fourth degree. 2446

(b) A landlord may not prohibit or restrict a tenant who 2447
is a licensee and who on or after September 9, 2008, enters into 2448
a rental agreement with the landlord for the use of residential 2449
premises, and the tenant's guest while the tenant is present, 2450
from lawfully carrying or possessing a handgun on those 2451
residential premises. 2452

(c) As used in division (C) (3) of this section: 2453

(i) "Residential premises" has the same meaning as in 2454
section 5321.01 of the Revised Code, except "residential 2455
premises" does not include a dwelling unit that is owned or 2456
operated by a college or university. 2457

(ii) "Landlord," "tenant," and "rental agreement" have the 2458
same meanings as in section 5321.01 of the Revised Code. 2459

(D) A person who holds a valid concealed handgun license 2460
issued by another state that is recognized by the attorney 2461
general pursuant to a reciprocity agreement entered into 2462
pursuant to section 109.69 of the Revised Code or a person who 2463
holds a valid concealed handgun license under the circumstances 2464
described in division (B) of section 109.69 of the Revised Code 2465
has the same right to carry a concealed handgun in this state as 2466
a person who was issued a concealed handgun license under 2467
section 2923.125 of the Revised Code and is subject to the same 2468
restrictions that apply to a person who has been issued a 2469

license under that section that is valid at the time in 2470
question. 2471

(E) (1) A peace officer has the same right to carry a 2472
concealed handgun in this state as a person who was issued a 2473
concealed handgun license under section 2923.125 of the Revised 2474
Code, provided that the officer when carrying a concealed 2475
handgun under authority of this division is carrying validating 2476
identification. For purposes of reciprocity with other states, a 2477
peace officer shall be considered to be a licensee in this 2478
state. 2479

(2) An active duty member of the armed forces of the 2480
United States who is carrying a valid military identification 2481
card and documentation of successful completion of firearms 2482
training that meets or exceeds the training requirements 2483
described in division (G) (1) of section 2923.125 of the Revised 2484
Code has the same right to carry a concealed handgun in this 2485
state as a person who was issued a concealed handgun license 2486
under section 2923.125 of the Revised Code and is subject to the 2487
same restrictions as specified in this section. 2488

(3) A tactical medical professional who is qualified to 2489
carry firearms while on duty under section 109.771 of the 2490
Revised Code has the same right to carry a concealed handgun in 2491
this state as a person who was issued a concealed handgun 2492
license under section 2923.125 of the Revised Code. 2493

(4) A fire investigator who is qualified to carry firearms 2494
while on duty under section 109.774 of the Revised Code has the 2495
same right to carry a concealed handgun in this state as a 2496
person who was issued a concealed handgun license under section 2497
2923.125 of the Revised Code. 2498

(F) (1) A qualified retired peace officer who possesses a 2499
retired peace officer identification card issued pursuant to 2500
division (F) (2) of this section and a valid firearms 2501
requalification certification issued pursuant to division (F) (3) 2502
of this section has the same right to carry a concealed handgun 2503
in this state as a person who was issued a concealed handgun 2504
license under section 2923.125 of the Revised Code and is 2505
subject to the same restrictions that apply to a person who has 2506
been issued a license issued under that section that is valid at 2507
the time in question. For purposes of reciprocity with other 2508
states, a qualified retired peace officer who possesses a 2509
retired peace officer identification card issued pursuant to 2510
division (F) (2) of this section and a valid firearms 2511
requalification certification issued pursuant to division (F) (3) 2512
of this section shall be considered to be a licensee in this 2513
state. 2514

(2) (a) Each public agency of this state or of a political 2515
subdivision of this state that is served by one or more peace 2516
officers shall issue a retired peace officer identification card 2517
to any person who retired from service as a peace officer with 2518
that agency, if the issuance is in accordance with the agency's 2519
policies and procedures and if the person, with respect to the 2520
person's service with that agency, satisfies all of the 2521
following: 2522

(i) The person retired in good standing from service as a 2523
peace officer with the public agency, and the retirement was not 2524
for reasons of mental instability. 2525

(ii) Before retiring from service as a peace officer with 2526
that agency, the person was authorized to engage in or supervise 2527
the prevention, detection, investigation, or prosecution of, or 2528

the incarceration of any person for, any violation of law and 2529
the person had statutory powers of arrest. 2530

(iii) At the time of the person's retirement as a peace 2531
officer with that agency, the person was trained and qualified 2532
to carry firearms in the performance of the peace officer's 2533
duties. 2534

(iv) Before retiring from service as a peace officer with 2535
that agency, the person was regularly employed as a peace 2536
officer for an aggregate of fifteen years or more, or, in the 2537
alternative, the person retired from service as a peace officer 2538
with that agency, after completing any applicable probationary 2539
period of that service, due to a service-connected disability, 2540
as determined by the agency. 2541

(b) A retired peace officer identification card issued to 2542
a person under division (F) (2) (a) of this section shall identify 2543
the person by name, contain a photograph of the person, identify 2544
the public agency of this state or of the political subdivision 2545
of this state from which the person retired as a peace officer 2546
and that is issuing the identification card, and specify that 2547
the person retired in good standing from service as a peace 2548
officer with the issuing public agency and satisfies the 2549
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2550
section. In addition to the required content specified in this 2551
division, a retired peace officer identification card issued to 2552
a person under division (F) (2) (a) of this section may include 2553
the firearms requalification certification described in division 2554
(F) (3) of this section, and if the identification card includes 2555
that certification, the identification card shall serve as the 2556
firearms requalification certification for the retired peace 2557
officer. If the issuing public agency issues credentials to 2558

active law enforcement officers who serve the agency, the agency 2559
may comply with division (F) (2) (a) of this section by issuing 2560
the same credentials to persons who retired from service as a 2561
peace officer with the agency and who satisfy the criteria set 2562
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2563
provided that the credentials so issued to retired peace 2564
officers are stamped with the word "RETIRED." 2565

(c) A public agency of this state or of a political 2566
subdivision of this state may charge persons who retired from 2567
service as a peace officer with the agency a reasonable fee for 2568
issuing to the person a retired peace officer identification 2569
card pursuant to division (F) (2) (a) of this section. 2570

(3) If a person retired from service as a peace officer 2571
with a public agency of this state or of a political subdivision 2572
of this state and the person satisfies the criteria set forth in 2573
divisions (F) (2) (a) (i) to (iv) of this section, the public 2574
agency may provide the retired peace officer with the 2575
opportunity to attend a firearms requalification program that is 2576
approved for purposes of firearms requalification required under 2577
section 109.801 of the Revised Code. The retired peace officer 2578
may be required to pay the cost of the course. 2579

If a retired peace officer who satisfies the criteria set 2580
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2581
a firearms requalification program that is approved for purposes 2582
of firearms requalification required under section 109.801 of 2583
the Revised Code, the retired peace officer's successful 2584
completion of the firearms requalification program requalifies 2585
the retired peace officer for purposes of division (F) of this 2586
section for five years from the date on which the program was 2587
successfully completed, and the requalification is valid during 2588

that five-year period. If a retired peace officer who satisfies 2589
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2590
section satisfactorily completes such a firearms requalification 2591
program, the retired peace officer shall be issued a firearms 2592
requalification certification that identifies the retired peace 2593
officer by name, identifies the entity that taught the program, 2594
specifies that the retired peace officer successfully completed 2595
the program, specifies the date on which the course was 2596
successfully completed, and specifies that the requalification 2597
is valid for five years from that date of successful completion. 2598
The firearms requalification certification for a retired peace 2599
officer may be included in the retired peace officer 2600
identification card issued to the retired peace officer under 2601
division (F) (2) of this section. 2602

A retired peace officer who attends a firearms 2603
requalification program that is approved for purposes of 2604
firearms requalification required under section 109.801 of the 2605
Revised Code may be required to pay the cost of the program. 2606

(G) As used in this section: 2607

(1) "Qualified retired peace officer" means a person who 2608
satisfies all of the following: 2609

(a) The person satisfies the criteria set forth in 2610
divisions (F) (2) (a) (i) to (v) of this section. 2611

(b) The person is not under the influence of alcohol or 2612
another intoxicating or hallucinatory drug or substance. 2613

(c) The person is not prohibited by federal law from 2614
receiving firearms. 2615

(2) "Retired peace officer identification card" means an 2616
identification card that is issued pursuant to division (F) (2) 2617

of this section to a person who is a retired peace officer. 2618

(3) "Government facility of this state or a political 2619
subdivision of this state" means any of the following: 2620

(a) A building or part of a building that is owned or 2621
leased by the government of this state or a political 2622
subdivision of this state and where employees of the government 2623
of this state or the political subdivision regularly are present 2624
for the purpose of performing their official duties as employees 2625
of the state or political subdivision; 2626

(b) The office of a deputy registrar serving pursuant to 2627
Chapter 4503. of the Revised Code that is used to perform deputy 2628
registrar functions. 2629

(4) "Governing body" has the same meaning as in section 2630
154.01 of the Revised Code. 2631

(5) "Tactical medical professional" has the same meaning 2632
as in section 109.71 of the Revised Code. 2633

(6) "Validating identification" means photographic 2634
identification issued by the agency for which an individual 2635
serves as a peace officer that identifies the individual as a 2636
peace officer of the agency. 2637

(7) "Nonprofit corporation" means any private organization 2638
that is exempt from federal income taxation pursuant to 2639
subsection 501(a) and described in subsection 501(c) of the 2640
Internal Revenue Code. 2641

(8) "Fire investigator" has the same meaning as in section 2642
109.71 of the Revised Code. 2643

Sec. 3505.06. (A) On the questions and issues ballot shall 2644
be printed all questions and issues to be submitted at any one 2645

election together with the percentage of affirmative votes 2646
necessary for passage as required by law. Such ballot shall have 2647
printed across the top thereof, and below the stubs, "Official 2648
Questions and Issues Ballot." 2649

(B) (1) Questions and issues shall be grouped together on 2650
the ballot from top to bottom as provided in division (B) (1) of 2651
this section, except as otherwise provided in division (B) (2) of 2652
this section. State questions and issues shall always appear as 2653
the top group of questions and issues. In calendar year 1997, 2654
the following questions and issues shall be grouped together on 2655
the ballot, in the following order from top to bottom, after the 2656
state questions and issues: 2657

(a) County questions and issues; 2658

(b) Municipal questions and issues; 2659

(c) Township questions and issues; 2660

(d) School or other district questions and issues. 2661

In each succeeding calendar year after 1997, each group of 2662
questions and issues described in division (B) (1) (a) to (d) of 2663
this section shall be moved down one place on the ballot except 2664
that the group that was last on the ballot during the 2665
immediately preceding calendar year shall appear at the top of 2666
the ballot after the state questions and issues. The rotation 2667
shall be performed only once each calendar year, beginning with 2668
the first election held during the calendar year. The rotation 2669
of groups of questions and issues shall be performed during each 2670
calendar year as required by division (B) (1) of this section, 2671
even if no questions and issues from any one or more such groups 2672
appear on the ballot at any particular election held during that 2673
calendar year. 2674

(2) Questions and issues shall be grouped together on the ballot, from top to bottom, in the following order when it is not practicable to group them together as required by division (B) (1) of this section because of the type of voting machines used by the board of elections: state questions and issues, county questions and issues, municipal questions and issues, township questions and issues, and school or other district questions and issues. The particular order in which each of a group of state questions or issues is placed on the ballot shall be determined by, and certified to each board of elections by, the secretary of state.

(3) Failure of the board of elections to rotate questions and issues as required by division (B) (1) of this section does not affect the validity of the election at which the failure occurred, and is not grounds for contesting an election under section 3515.08 of the Revised Code.

(C) The particular order in which each of a group of county, municipal, township, or school district questions or issues is placed on the ballot shall be determined by the board providing the ballots.

(D) The printed matter pertaining to each question or issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed a brief title descriptive of the question or issue below it, such as "Proposed Constitutional Amendment," "Proposed Bond Issue," "Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains, together with a brief statement of the percentage of affirmative votes necessary for

passage, such as "A sixty-five per cent affirmative vote is 2705
necessary for passage," "A majority vote is necessary for 2706
passage," or such other brief statement as will be descriptive 2707
of the percentage of affirmative votes required. 2708

(E) The questions and issues ballot need not contain the 2709
full text of the proposal to be voted upon. A condensed text 2710
that will properly describe the question, issue, or an amendment 2711
proposed by other than the general assembly shall be used as 2712
prepared and certified by the secretary of state for state-wide 2713
questions or issues or by the board for local questions or 2714
issues. If other than a full text is used, the full text of the 2715
proposed question, issue, or amendment together with the 2716
percentage of affirmative votes necessary for passage as 2717
required by law shall be posted in each polling place in some 2718
spot that is easily accessible to the voters. 2719

~~(F) Each~~ (F) (1) Except as otherwise provided in division 2720
(F) (2) of this section, each question and issue appearing on the 2721
questions and issues ballot may be consecutively numbered. The 2722
question or issue determined to appear at the top of the ballot 2723
may be designated on the face thereof by the Arabic numeral "1" 2724
and all questions and issues placed below on the ballot shall be 2725
consecutively numbered. Such numeral shall be placed below the 2726
heavy top horizontal line enclosing such question or issue and 2727
to the left of the brief title thereof. 2728

(2) Beginning with the general election to be held on 2729
November 5, 2024, a state question or issue determined to appear 2730
at the top of the ballot shall be designated on the face thereof 2731
by the Arabic numeral "1" and all state questions and issues 2732
placed below on the ballot shall be consecutively numbered. For 2733
elections occurring after the general election held on November 2734

5, 2024, a state question or issue determined to appear at the 2735
top of the ballot shall be designated on the face thereof by the 2736
Arabic numeral that is consecutive to the Arabic numeral of the 2737
last state question or issue that appeared on the ballot at the 2738
immediately preceding election at which a state question or 2739
issue appeared on the ballot and all state questions or issues 2740
placed below on the ballot shall be consecutively numbered. Such 2741
numeral shall be placed below the heavy top horizontal line 2742
enclosing such question or issue and to the left of the brief 2743
title thereof. Once a state question or issue appears on the 2744
ballot designated by the Arabic numeral "500," the state 2745
question or issue appearing at the top of the ballot at the 2746
immediately following election at which a state question or 2747
issue appears on the ballot shall be designated by the Arabic 2748
numeral "1." 2749

(G) No portion of a ballot question proposing to levy a 2750
property tax in excess of the ten-mill limitation under any 2751
section of the Revised Code, including the renewal or 2752
replacement of such a levy, may be printed in boldface type or 2753
in a font size that is different from the font size of other 2754
text in the ballot question. The prohibitions in division (G) of 2755
this section do not apply to printed matter either described in 2756
division (D) of this section related to such a ballot question 2757
or located in the area of the ballot in which votes are 2758
indicated for or against that question. 2759

Sec. 3729.05. (A) (1) Except as otherwise provided in this 2760
section, on or after the first day of April, but before the 2761
first day of May of each year, every person who intends to 2762
operate a recreational vehicle park, recreation camp, or 2763
combined park-camp shall procure a license to operate the park 2764
or camp from the licenser. If the applicable license fee 2765

prescribed under section 3729.07 of the Revised Code is not 2766
received by the licensor by the close of business on the last 2767
day of April, the applicant for the license shall pay a penalty 2768
equal to twenty-five per cent of the applicable license fee. The 2769
penalty shall accompany the license fee. If the last day of 2770
April is not a business day, the penalty attaches upon the close 2771
of business on the next business day. 2772

(2) Every person who intends to operate a temporary park- 2773
camp shall obtain a license to operate the temporary park-camp 2774
from the licensor at any time before the person begins operation 2775
of the temporary park-camp during the calendar year. 2776

(3) No recreational vehicle park, recreation camp, 2777
combined park-camp, or temporary park-camp shall be maintained 2778
or operated in this state without a license. However, no person 2779
who neither intends to receive nor receives anything of value 2780
arising from the use of, or the sale of goods or services in 2781
connection with the use of, a recreational vehicle park, 2782
recreation camp, combined park-camp, or temporary park-camp is 2783
required to procure a license under this division. If any health 2784
hazard exists at such an unlicensed park, camp, or park-camp, 2785
the health hazard shall be corrected in a manner consistent with 2786
the appropriate rule adopted under division (A) or (B) of 2787
section 3729.02 of the Revised Code. 2788

(4) No person who has received a license under division 2789
(A) (1) of this section, upon the sale or disposition of the 2790
recreational vehicle park, recreation camp, or combined park- 2791
camp, may have the license transferred to the new operator. A 2792
person shall obtain a separate license to operate each 2793
recreational vehicle park, recreation camp, or combined park- 2794
camp. No license to operate a temporary park-camp shall be 2795

transferred. A person shall obtain a separate license for each 2796
temporary park-camp that the person intends to operate, and the 2797
license shall be valid for a period of not longer than seven 2798
consecutive days. A person who operates a temporary park-camp on 2799
a tract of land for more than twenty-one days or parts thereof 2800
in a calendar year shall obtain a license to operate a 2801
recreational vehicle park, recreation camp, or combined park- 2802
camp. 2803

(B) (1) Before a license is initially issued under division 2804
(A) (1) of this section and annually thereafter, or more often if 2805
necessary, the licensor shall cause each recreational vehicle 2806
park, recreation camp, or combined park-camp to be inspected to 2807
determine compliance with this chapter and rules adopted under 2808
it. A record shall be made of each inspection on a form 2809
prescribed by the director of health. 2810

(2) When a license is initially issued under division (A) 2811
(2) of this section, and more often if necessary, the licensor 2812
shall cause each temporary park-camp to be inspected to 2813
determine compliance with this chapter and rules adopted under 2814
it during the period that the temporary park-camp is in 2815
operation. A record shall be made of each inspection on a form 2816
prescribed by the director. 2817

(C) Each person applying for an initial license to operate 2818
a recreational vehicle park, recreation camp, combined park- 2819
camp, or temporary park-camp shall provide acceptable proof to 2820
the director, or to the licensor in the case of a temporary 2821
park-camp, that adequate fire protection will be provided and 2822
that applicable fire codes will be adhered to in the 2823
construction and operation of the park, camp, or park-camp. 2824

(D) Any person that operates a county or state fair or any 2825

independent agricultural society organized pursuant to section 2826
1711.02 of the Revised Code that operates a fair shall not be 2827
required to obtain a license under this chapter if recreational 2828
vehicles, portable camping units, or any combination of them are 2829
parked at the site of the fair only during the time of 2830
preparation for, operation of, and dismantling of the fair and 2831
if the recreational vehicles, portable camping units, or any 2832
combination of them belong to participants in the fair. 2833

(E) The following entities that operate a fair and that 2834
hold a license issued under this chapter are not required to 2835
comply with the requirements normally imposed on a licensee 2836
under this chapter and rules adopted under it during the time of 2837
preparation for, operation of, and dismantling of the fair: 2838

(1) A county agricultural society organized pursuant to 2839
section 1711.01 of the Revised Code; 2840

(2) An independent agricultural society organized pursuant 2841
to section 1711.02 of the Revised Code; 2842

(3) The Ohio expositions commission. 2843

(F) A motorsports park is exempt from the license 2844
requirements established in divisions (A) (1) and (2) of this 2845
section if the motorsports park does both of the following: 2846

(1) Holds at least one annual event sanctioned by the 2847
national association for stock car auto racing or the national 2848
hot rod association during a motor sports racing event; 2849

(2) Provides parking for recreational vehicles, dependent 2850
recreational vehicles, and portable camping units that belong to 2851
participants in that event. 2852

The exemption established in this division applies to 2853

participant-only areas during the time of preparation for and 2854
operation of the event. 2855

(G) A site is exempt from the license requirements 2856
established in divisions (A) (1) and (2) of this section if both 2857
of the following apply: 2858

(1) The site hosts reenactors for any historical 2859
reenactment. 2860

(2) The site provides parking for portable camping units 2861
that belong to the reenactors and their families. 2862

The exemption established in this division applies only to 2863
areas designated for reenactment participants and for a total of 2864
seven days. The seven-day time period includes the time of 2865
preparation for, operation of, and dismantling of the 2866
reenactment event. 2867

(H) An equestrian event facility is exempt from the 2868
license requirements established in divisions (A) (1) and (2) of 2869
this section if the equestrian event facility does both of the 2870
following: 2871

(1) Holds at least one annual event sanctioned by the 2872
international professional rodeo association or the American 2873
professional rodeo association during an equestrian event; 2874

(2) Provides parking for recreational vehicles, dependent 2875
recreational vehicles, and portable camping units that belong to 2876
participants in that event. 2877

The exemption established in this division applies to 2878
participant-only areas during the time of preparation for and 2879
operation of the event. 2880

~~(H)~~-(I) A person subject to this chapter or rules adopted 2881

under it may apply to the director for a waiver or variance from 2882
a provision of this chapter or rules adopted under it. The 2883
director may grant a waiver or variance if the person 2884
demonstrates, to the satisfaction of the director, that the 2885
waiver or variance will not result in any adverse effect on the 2886
public health and safety. The director shall adopt rules in 2887
accordance with Chapter 119. of the Revised Code establishing 2888
requirements and procedures governing the application for and 2889
granting of a waiver or variance under this division. 2890

Sec. 4505.061. (A) If the application for a certificate of 2891
title refers to a motor vehicle last previously registered in 2892
another state, the application shall be accompanied by a 2893
physical inspection certificate issued by the registrar of motor 2894
vehicles. A physical inspection of a motor vehicle shall consist 2895
of verifying the make, body type, model, and mileage of, and 2896
manufacturer's vehicle identification number from, the motor 2897
vehicle for which the certificate of title is desired. 2898

(B) The physical inspection certificate shall be in such 2899
form as is designated by the registrar. Except as provided for 2900
in division (C) of this section, the physical inspection of the 2901
motor vehicle shall occur at ~~either one~~ of the following: 2902

(1) A deputy registrar's office; 2903

(2) An established place of business of a licensed motor 2904
vehicle dealer located in this state; 2905

(3) A clerk of the court of common pleas' office if the 2906
clerk offers such physical inspections. 2907

(C) The physical inspection of a salvage vehicle owned by 2908
an insurance company may be made at an established place of 2909
business of any of the following that is licensed and located in 2910

this state:	2911
(1) A motor vehicle salvage dealer;	2912
(2) A salvage motor vehicle auction;	2913
(3) A salvage motor vehicle pool.	2914
(D) The deputy registrar, motor vehicle dealer, <u>clerk of</u>	2915
<u>the court of common pleas,</u> motor vehicle salvage dealer, salvage	2916
motor vehicle auction, or salvage motor vehicle pool may charge	2917
a maximum fee equal to the amount established under section	2918
4503.038 of the Revised Code for conducting the physical	2919
inspection.	2920
(E) The clerk of the court of common pleas shall charge a	2921
fee of one dollar and fifty cents for the processing of each	2922
physical inspection certificate. The clerk shall retain fifty	2923
cents of the one dollar and fifty cents so charged and shall pay	2924
the remaining one dollar to the registrar by monthly returns,	2925
which shall be forwarded to the registrar not later than the	2926
fifth day of the month next succeeding that in which the	2927
certificate is received by the clerk. The registrar shall pay	2928
such remaining sums into the public safety - highway purposes	2929
fund established by section 4501.06 of the Revised Code.	2930
Sec. 4519.56. (A) An application for a certificate of	2931
title shall be sworn to before a notary public or other officer	2932
empowered to administer oaths by the lawful owner or purchaser	2933
of the off-highway motorcycle or all-purpose vehicle and shall	2934
contain at least the following information in a form and	2935
together with any other information the registrar of motor	2936
vehicles may require:	2937
(1) Name, address, and social security number or	2938
employer's tax identification number of the applicant;	2939

(2) Statement of how the off-highway motorcycle or all-purpose vehicle was acquired;	2940
	2941
(3) Name and address of the previous owner;	2942
(4) A statement of all liens, mortgages, or other encumbrances on the off-highway motorcycle or all-purpose vehicle, and the name and address of each holder thereof;	2943
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(5) If there are no outstanding liens, mortgages, or other encumbrances, a statement of that fact;	2946
	2947
(6) A description of the off-highway motorcycle or all-purpose vehicle, including the make, year, series or model, if any, body type, and manufacturer's vehicle identification number.	2948
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	2951
If the off-highway motorcycle or all-purpose vehicle contains a permanent identification number placed thereon by the manufacturer, this number shall be used as the vehicle identification number. Except as provided in division (B) of this section, if the application for a certificate of title refers to an off-highway motorcycle or all-purpose vehicle that contains such a permanent identification number, but for which no certificate of title has been issued previously by this state, the application shall be accompanied by a physical inspection certificate as described in that division.	2952
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If there is no manufacturer's vehicle identification number or if the manufacturer's vehicle identification number has been removed or obliterated, the registrar, upon receipt of a prescribed application and proof of ownership, but prior to issuance of a certificate of title, shall assign a vehicle identification number for the off-highway motorcycle or all-purpose vehicle. This assigned vehicle identification number	2962
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shall be permanently affixed to or imprinted upon the off- 2969
highway motorcycle or all-purpose vehicle by the state highway 2970
patrol. The state highway patrol shall assess a fee of fifty 2971
dollars for affixing the number to the off-highway motorcycle or 2972
all-purpose vehicle and shall deposit each such fee in the 2973
public safety - highway purposes fund established by section 2974
4501.06 of the Revised Code. 2975

(B) Except in the case of a new off-highway motorcycle or 2976
all-purpose vehicle sold by a dealer title to which is evidenced 2977
by a manufacturer's or importer's certificate, if the 2978
application for a certificate of title refers to an off-highway 2979
motorcycle or all-purpose vehicle that contains a permanent 2980
identification number placed thereon by the manufacturer, but 2981
for which no certificate of title previously has been issued by 2982
this state, the application shall be accompanied by a physical 2983
inspection certificate issued by the department of public safety 2984
verifying the make, year, series or model, if any, body type, 2985
and manufacturer's vehicle identification number of the off- 2986
highway motorcycle or all-purpose vehicle for which the 2987
certificate of title is desired. The physical inspection 2988
certificate shall be in such form as is designated by the 2989
registrar. The physical inspection shall be made at a deputy 2990
registrar's office, a clerk of the common pleas' office if the 2991
clerk offers such physical inspections, or at an established 2992
place of business operated by a licensed motor vehicle dealer. 2993
The deputy registrar, clerk of the court of common pleas, or 2994
motor vehicle dealer may charge a maximum fee equal to the 2995
amount established under section 4503.038 of the Revised Code 2996
for conducting the physical inspection. 2997

The clerk of the court of common pleas shall charge a fee 2998
of one dollar and fifty cents for the processing of each 2999

physical inspection certificate. The clerk shall retain fifty 3000
cents of the one dollar and fifty cents so charged and shall pay 3001
the remaining one dollar to the registrar by monthly returns, 3002
which shall be forwarded to the registrar not later than the 3003
fifth day of the month next succeeding that in which the 3004
certificate is received by the clerk. The registrar shall pay 3005
such remaining sums into the public safety - highway purposes 3006
fund established by section 4501.06 of the Revised Code. 3007

Sec. 4519.69. If the application for a certificate of 3008
title refers to an off-highway motorcycle or all-purpose vehicle 3009
last previously registered in another state, the application 3010
shall be accompanied by a physical inspection certificate issued 3011
by the department of public safety verifying the make, year, 3012
series or model, if any, body type, and manufacturer's 3013
identification number of the off-highway motorcycle or all- 3014
purpose vehicle for which the certificate of title is desired. 3015
The physical inspection certificate shall be in such form as is 3016
designated by the registrar of motor vehicles. The physical 3017
inspection of the off-highway motorcycle or all-purpose vehicle 3018
shall be made at a deputy registrar's office, a clerk of the 3019
court of common pleas' office if the clerk offers such physical 3020
inspections, or at an established place of business operated by 3021
a licensed motor vehicle dealer. Additionally, the physical 3022
inspection of a salvage off-highway motorcycle or all-purpose 3023
vehicle owned by an insurance company may be made at an 3024
established place of business operated by a salvage motor 3025
vehicle dealer licensed under Chapter 4738. of the Revised Code. 3026
The deputy registrar, the clerk of the court of common pleas, 3027
the motor vehicle dealer, or the salvage motor vehicle dealer 3028
may charge a maximum fee equal to the amount established under 3029
section 4503.038 of the Revised Code for conducting the physical 3030

inspection. 3031

The clerk of the court of common pleas shall charge a fee 3032
of one dollar and fifty cents for the processing of each 3033
physical inspection certificate. The clerk shall retain fifty 3034
cents of the one dollar and fifty cents so charged and shall pay 3035
the remaining one dollar to the registrar by monthly returns, 3036
which shall be forwarded to the registrar not later than the 3037
fifth day of the month next succeeding that in which the 3038
certificate is received by the clerk. The registrar shall pay 3039
such remaining sums into the state treasury to the credit of the 3040
public safety - highway purposes fund established in section 3041
4501.06 of the Revised Code. 3042

Sec. 5709.084. Real and personal property comprising a 3043
convention center that is constructed or, in the case of 3044
personal property, acquired, after January 1, 2010, are exempt 3045
from taxation if the convention center is located in a county 3046
having a population, when construction of the convention center 3047
commences, of more than one million two hundred thousand 3048
according to the most recent federal decennial census, and if 3049
the convention center, or the land upon which the convention 3050
center is situated, is owned or leased by the county. For the 3051
purposes of this section, construction of the convention center 3052
commences upon the earlier of issuance of debt to finance all or 3053
a portion of the convention center, demolition of existing 3054
structures on the site, or grading of the site in preparation 3055
for construction. 3056

Real and personal property comprising a convention center 3057
owned by the largest city in a county having a population 3058
greater than seven hundred thousand but less than nine hundred 3059
thousand according to the most recent federal decennial census 3060

is exempt from taxation, regardless of whether the property is 3061
leased to or otherwise operated or managed by a person other 3062
than the city. 3063

Real and personal property comprising a convention center 3064
or arena owned by a convention facilities authority in a county 3065
having a population greater than seven hundred fifty thousand 3066
according to the most recent federal decennial census is exempt 3067
from taxation, regardless of whether the property is leased to 3068
or otherwise operated or managed by a person other than the 3069
convention facilities authority, notwithstanding section 351.12 3070
of the Revised Code. 3071

Real and personal property comprising a convention center 3072
or arena owned by the largest city in a county having a 3073
population greater than two hundred thirty-five thousand but 3074
less than three hundred thousand according to the most recent 3075
federal decennial census at the time of the construction or 3076
acquisition of the convention center or arena is exempt from 3077
taxation, regardless of whether the property is leased to or 3078
otherwise operated or managed by a person other than the city. 3079

Real and personal property comprising a convention center 3080
or arena owned by the city in which the convention center or 3081
arena is located, and located in a county having a population 3082
greater than five hundred thousand but less than six hundred 3083
thousand according to the most recent federal decennial census 3084
at the time of the construction of the convention center or 3085
arena, is exempt from taxation, regardless of whether the 3086
property is leased to or otherwise operated or managed by a 3087
person other than the city. 3088

As used in this section, "convention center" and "arena" 3089
have the same meanings as in section 307.695 of the Revised 3090

Code.—	3091
Sec. 5709.121. (A) Real property and tangible personal	3092
property belonging to a charitable, <u>religious</u> , or educational	3093
institution or to the state or a political subdivision, shall be	3094
considered as used exclusively for charitable or public purposes	3095
by such institution, the state, or political subdivision, if it	3096
meets one of the following requirements:	3097
(1) It is used by such institution, the state, or	3098
political subdivision, or by one or more other such charitable,	3099
<u>religious, or educational</u> institutions, the state, or political	3100
subdivisions under a lease, sublease, or other contractual	3101
arrangement:	3102
(a) As a community or area center in which presentations	3103
in music, dramatics, the arts, and related fields are made in	3104
order to foster public interest and education therein;	3105
(b) As a children's, science, history, or natural history	3106
museum that is open to the general public;	3107
(c) For other charitable, educational, or public purposes	3108
<u>or used for public worship.</u>	3109
(2) It is made available under the direction or control of	3110
such institution, the state, or political subdivision for use in	3111
furtherance of or incidental to its charitable, educational, or	3112
public purposes <u>or for public worship</u> and not with the view to	3113
profit.	3114
(3) It is used by an organization described in division	3115
(D) of section 5709.12 of the Revised Code. If the organization	3116
is a corporation that receives a grant under the Thomas Alva	3117
Edison grant program authorized by division (C) of section	3118
122.33 of the Revised Code at any time during the tax year,	3119

"used," for the purposes of this division, includes holding 3120
property for lease or resale to others. 3121

(B) (1) Property described in division (A) (1) (a) or (b) of 3122
this section shall continue to be considered as used exclusively 3123
for charitable or public purposes even if the property is 3124
conveyed through one conveyance or a series of conveyances to an 3125
entity that is not a charitable or educational institution and 3126
is not the state or a political subdivision, provided that all 3127
of the following conditions apply with respect to that property: 3128

(a) The property was listed as exempt on the county 3129
auditor's tax list and duplicate for the county in which it is 3130
located for the tax year immediately preceding the year in which 3131
the property is conveyed through one conveyance or a series of 3132
conveyances; 3133

(b) The property is conveyed through one conveyance or a 3134
series of conveyances to an entity that does any of the 3135
following: 3136

(i) Leases at least forty-five per cent of the property, 3137
through one lease or a series of leases, to the entity that 3138
owned or occupied the property for the tax year immediately 3139
preceding the year in which the property is conveyed or to an 3140
affiliate of that entity; 3141

(ii) Contracts, directly or indirectly to have renovations 3142
performed as described in division (B) (1) (d) of this section and 3143
is at least partially owned by a nonprofit organization 3144
described in section 501(c) (3) of the Internal Revenue Code that 3145
is exempt from taxation under section 501(a) of that code. 3146

(c) The property includes improvements that are at least 3147
fifty years old; 3148

(d) The property is being renovated in connection with a 3149
claim for historic preservation tax credits available under 3150
federal law; 3151

(e) All or a portion of the property continues to be used 3152
for the purposes described in division (A) (1) (a) or (b) of this 3153
section after its conveyance; and 3154

(f) The property is certified by the United States 3155
secretary of the interior as a "certified historic structure" or 3156
certified as part of a certified historic structure. 3157

(2) Notwithstanding section 5715.27 of the Revised Code, 3158
an application for exemption from taxation of property described 3159
in division (B) (1) of this section may be filed by either the 3160
owner of the property or an occupant. 3161

(C) For purposes of this section, an institution that 3162
meets all of the following requirements is conclusively presumed 3163
to be a charitable institution: 3164

(1) The institution is a nonprofit corporation or 3165
association, no part of the net earnings of which inures to the 3166
benefit of any private shareholder or individual; 3167

(2) The institution is exempt from federal income taxation 3168
under section 501(a) of the Internal Revenue Code; 3169

(3) The majority of the institution's board of directors 3170
are appointed by the mayor or legislative authority of a 3171
municipal corporation or a board of county commissioners, or a 3172
combination thereof; 3173

(4) The primary purpose of the institution is to assist in 3174
the development and revitalization of downtown urban areas. 3175

(D) For purposes of division (A) (1) (b) of this section, 3176

the status of a museum as open to the general public shall be 3177
conclusive if the museum is accredited by the American alliance 3178
of museums or a successor organization. 3179

(E) (1) Qualifying real property owned by an institution 3180
that meets the following requirements shall be considered as 3181
used exclusively for charitable purposes, and the institution 3182
shall be considered a charitable institution for purposes of 3183
this section and section 5709.12 of the Revised Code: 3184

(a) The institution is an organization described under 3185
section 501(c) (3) of the Internal Revenue Code and exempt from 3186
federal income taxation under section 501(a) of the Internal 3187
Revenue Code. 3188

(b) The institution's primary purpose is to acquire, 3189
develop, lease, or otherwise provide suitable housing to 3190
individuals with developmental disabilities. 3191

(c) Unless otherwise provided by division (E) (3) of this 3192
section, the institution receives at least a portion of its 3193
funding from one or more county boards of developmental 3194
disabilities to assist in the institution's primary purpose 3195
described in division (E) (1) (b) of this section. 3196

(2) As used in division (E) of this section, "qualifying 3197
real property" means real property that is used primarily in one 3198
of the following manners: 3199

(a) The property is used by the institution described in 3200
division (E) (1) of this section for the purpose described in 3201
division (E) (1) (b) of this section. 3202

(b) The property is leased or otherwise provided by the 3203
institution described in division (E) (1) of this section to 3204
individuals with developmental disabilities and used by those 3205

individuals as housing. 3206

(c) The property is leased or otherwise provided by the 3207
institution described in division (E) (1) of this section to 3208
another charitable institution, and that charitable institution 3209
uses the property exclusively for charitable purposes. 3210

(3) The requirement prescribed by division (E) (1) (c) of 3211
this section shall be considered to be met if: (a) the 3212
institution contracts with an entity that receives at least a 3213
portion of its funding from one or more county boards of 3214
developmental disabilities; (b) the contracted entity performs 3215
services for individuals who lease the property for use as 3216
housing; and (c) those services assist in the institution's 3217
primary purpose described in division (E) (1) (b) of this section. 3218

If the property owner qualifies as a charitable 3219
institution under the alternative requirements prescribed by 3220
division (E) (3) of this section, only the portion of the 3221
property that, as of the first day of January of the tax year, 3222
is either leased for use as housing by residents who are 3223
eligible to receive home and community-based services, as that 3224
term is defined in section 5123.01 of the Revised Code, or is a 3225
common area used by all residents of the property is qualifying 3226
real property and only those portions qualify for exemption from 3227
taxation. 3228

(F) (1) Qualifying real property owned by an institution 3229
that meets all of the following requirements shall be considered 3230
as used exclusively for charitable purposes, and the institution 3231
shall be considered a charitable institution for purposes of 3232
this section and section 5709.12 of the Revised Code: 3233

(a) The institution is either (i) an organization 3234

described under section 501(c)(3) of the Internal Revenue Code 3235
and exempt from federal income taxation under section 501(a) of 3236
the Internal Revenue Code that has as a primary purpose to 3237
acquire, develop, lease, or otherwise provide suitable 3238
supportive housing to individuals diagnosed with mental illness 3239
or substance use disorder and to families residing with such 3240
individuals or (ii) a limited liability company or limited 3241
partnership whose controlling or managing member or partner 3242
either is an organization described in division (F)(1)(a)(i) of 3243
this section or is wholly owned by one or more such 3244
organizations. 3245

(b) One or more of the tax-exempt organizations identified 3246
in division (F)(1)(a) of this section receives at least a 3247
portion of its funding to assist in the organization's primary 3248
purpose described in division (F)(1)(a)(i) of this section from 3249
the department of mental health and addiction services; one or 3250
more county boards of alcohol, drug addiction, and mental health 3251
services; or a local continuum of care program governed by 42 3252
U.S.C. 11381, et seq. and 24 C.F.R. part 578. 3253

(2) As used in division (F) of this section, "qualifying 3254
real property" means real property that is used primarily in one 3255
of the following manners: 3256

(a) The property is used by the institution described in 3257
division (F)(1) of this section for the purpose described in 3258
division (F)(1)(a)(i) of this section. 3259

(b) The institution (i) leases or otherwise provides the 3260
property to individuals diagnosed with mental illness or 3261
substance use disorder and to the families residing with such 3262
individuals and (ii) makes supportive services available to such 3263
individuals and families. 3264

(c) The property is leased or otherwise provided by that 3265
institution to another charitable institution, and that 3266
charitable institution uses the property exclusively for 3267
charitable purposes. 3268

(G) (1) For tax years 2020 to 2024, a qualifying parking 3269
garage shall be considered as used exclusively for charitable 3270
purposes for the purpose of section 5709.12 of the Revised Code 3271
if all taxes, interest, and penalties levied and assessed 3272
against any property owned by the owner and operator of the 3273
qualifying parking garage, as described in division (G) (2) (b) (i) 3274
or (ii) of this section, have been paid in full for all of the 3275
tax years preceding the tax year for which the application for 3276
exemption is filed. 3277

(2) As used in division (G) of this section: 3278

(a) "Nonprofit arts institution" means an institution that 3279
is exempt from federal income taxation under section 501(a) of 3280
the Internal Revenue Code and whose primary purpose is to host 3281
or present performances in music, dramatics, the arts, and 3282
related fields in order to foster public interest and education 3283
therein. 3284

(b) "Qualifying parking garage" means any real property 3285
that is used primarily for parking motor vehicles within or on a 3286
structure and that is either (i) owned and operated by a 3287
nonprofit arts institution or (ii) owned and operated by a 3288
limited liability company whose sole member is a nonprofit arts 3289
institution. 3290

Section 2. That existing sections 109.71, 109.73, 109.75, 3291
109.79, 109.801, 1345.02, 1701.07, 1702.06, 1702.59, 1703.041, 3292
1703.15, 1703.29, 1706.09, 1729.11, 1746.04, 1747.03, 1776.07, 3293

1782.04, 1785.06, 1901.123, 1907.143, 2923.126, 3505.06, 3294
3729.05, 4505.061, 4519.56, 4519.69, 5709.084, and 5709.121 of 3295
the Revised Code are hereby repealed. 3296

Section 3. The amendment by this act of section 5709.084 3297
of the Revised Code applies to tax years ending on or after the 3298
effective date of this section. 3299

Section 4. The amendment by this act of section 5709.121 3300
of the Revised Code applies to tax years ending on or after the 3301
effective date of this section. 3302

Section 5. (A) As used in this section, "qualified 3303
property" means real property that (1) is owned by a 3304
metropolitan park district, (2) was acquired by the district 3305
between January 1, 2023, and December 31, 2023, from a 3306
charitable organization that is exempt from federal income 3307
taxation under subsection 501(c)(3) of the Internal Revenue 3308
Code, and (3) satisfies the qualifications for tax exemption 3309
under the terms of section 5709.08 of the Revised Code. 3310

(B) Notwithstanding sections 5713.08, 5713.081, and 3311
5715.27 of the Revised Code, and without regard to any time or 3312
payment limitations under any section of the Revised Code, the 3313
owner of qualified property at any time within twelve months 3314
after the effective date of this section may file an application 3315
with the Tax Commissioner requesting that the qualified property 3316
be placed on the exempt list and that all unpaid taxes, 3317
penalties, and interest on the property be abated, including 3318
taxes, penalties, and interest that have become a lien prior to 3319
the date of acquisition of title to the property by the 3320
qualified property's owner. 3321

(C) The application shall be made on the form prescribed 3322

by the Tax Commissioner under section 5715.27 of the Revised 3323
Code and shall list the name of the county in which the property 3324
is located; the property's legal description, taxable value, and 3325
the amount, in dollars, of the unpaid taxes, penalties, and 3326
interest; the date of acquisition of title to the property; the 3327
use of the property during any time that the unpaid taxes 3328
accrued; and any other information required by the Commissioner. 3329
The county auditor shall supply the required information upon 3330
request of the applicant. 3331

(D) Upon request of the applicant, the county treasurer 3332
shall determine if all taxes, penalties, and interest that 3333
became a lien on the qualified property before it was first used 3334
by the property's owner or a prior owner for an exempt purpose 3335
have been paid in full. If so, the county treasurer shall issue 3336
a certificate to the applicant stating that all such taxes, 3337
penalties, and interest have been paid in full. The applicant 3338
shall attach the county treasurer's certificate to the 3339
application filed with the Tax Commissioner under this section. 3340

(E) Upon receipt of an application, the Tax Commissioner 3341
shall determine if the qualified property meets the 3342
qualifications set forth in this section and if so shall issue 3343
an order directing that the property be placed on the exempt 3344
list of the county in which it is located and that all unpaid 3345
taxes, penalties, and interest for each year that the property 3346
met the qualifications for exemption described in section 3347
5709.08, section 5709.12, or another section of the Revised Code 3348
be abated. If the Commissioner finds that the property is or 3349
previously was being used for a purpose that would disqualify it 3350
for such exemption, the Tax Commissioner shall issue an order 3351
denying the application with respect to such tax years where the 3352
Commissioner finds that disqualifying use. 3353

(F) If the Tax Commissioner finds that the property is not 3354
entitled to the tax exemption and abatement of unpaid taxes, 3355
penalties, and interest for any of the years for which the 3356
applicant claims an exemption or abatement, the Commissioner 3357
shall order the county treasurer of the county in which the 3358
property is located to collect all taxes, penalties, and 3359
interest on the property for those years as required by law. 3360

Section 6. (A) As used in this section: 3361

(1) "Community improvement corporation" means a community 3362
improvement corporation created under Chapter 1724. of the 3363
Revised Code. 3364

(2) "Qualified property" means property that satisfies the 3365
qualifications for tax exemption under section 5709.08 of the 3366
Revised Code or any other section of the Revised Code that 3367
provides a tax exemption for property owned or used by a 3368
municipal corporation or community improvement corporation and 3369
that meets either of the following requirements: 3370

(a) The property is owned by a municipal corporation or a 3371
community improvement corporation and was acquired by a 3372
municipal corporation which recorded the deed for the property 3373
between the following dates: 3374

(i) April 15, 2013, and April 30, 2013; 3375

(ii) January 1, 2008, and January 31, 2008; 3376

(iii) January 1, 2006, and January 15, 2006; 3377

(iv) February 1, 2000, and February 15, 2000. 3378

(b) The property is a parcel of real property that is 3379
owned by a municipal corporation or community improvement 3380
corporation and to which one of the following applies: 3381

(i) The parcel was created pursuant to the subdivision, 3382
between August 1, 2004, and August 15, 2004, of an existing 3383
parcel that had been previously acquired by a municipal 3384
corporation and where the deed for the previously existing 3385
parcel was recorded by a municipal corporation between December 3386
15, 1999, and December 31, 1999; 3387

(ii) The parcel was created pursuant to the subdivision, 3388
between January 1, 2008, and January 31, 2008, of an existing 3389
parcel that had been previously acquired by a municipal 3390
corporation and where the deed for the previously existing 3391
parcel was recorded by a municipal corporation between February 3392
15, 2002, and March 1, 2002; 3393

(iii) The parcel was created pursuant to the subdivision, 3394
between January 1, 2008, and January 15, 2008, of an existing 3395
parcel that had been previously acquired by a municipal 3396
corporation and where the deed for the previously existing 3397
parcel was recorded by a municipal corporation between December 3398
20, 2007, and January 10, 2008. 3399

(B) Notwithstanding sections 5713.08, 5713.081, and 3400
5715.27 of the Revised Code, and without regard to any time or 3401
payment limitations under any section of the Revised Code, the 3402
owner of qualified property at any time within twelve months 3403
after the effective date of this section may file an application 3404
with the Tax Commissioner requesting that the qualified property 3405
be placed on the exempt list and that all unpaid taxes, 3406
penalties, and interest on the property be abated, including 3407
taxes, penalties, and interest that have become a lien prior to 3408
the date of acquisition of title to the property by the 3409
qualified property's owner. 3410

(C) The application shall be made on the form prescribed 3411

by the Tax Commissioner under section 5715.27 of the Revised 3412
Code and shall list the name of the county in which the property 3413
is located; the property's legal description, taxable value, and 3414
the amount, in dollars, of the unpaid taxes, penalties, and 3415
interest; the date of acquisition of title to the property; the 3416
use of the property during any time that the unpaid taxes 3417
accrued; and any other information required by the Commissioner. 3418
The county auditor shall supply the required information upon 3419
request of the applicant. 3420

(D) Upon request of the applicant, the county treasurer 3421
shall determine if all taxes, penalties, and interest that 3422
became a lien on the qualified property before it was first used 3423
by the property's owner or a prior owner for an exempt purpose 3424
have been paid in full. If so, the county treasurer shall issue 3425
a certificate to the applicant stating that all such taxes, 3426
penalties, and interest have been paid in full. The applicant 3427
shall attach the county treasurer's certificate to the 3428
application filed with the Tax Commissioner under this section. 3429

(E) Upon receipt of an application, the Tax Commissioner 3430
shall determine if the qualified property meets the 3431
qualifications set forth in this section and if so shall issue 3432
an order directing that the property be placed on the exempt 3433
list of the county in which it is located and that all unpaid 3434
taxes, penalties, and interest for each year that the property 3435
met the qualifications for exemption described in section 3436
5709.08 or another section of the Revised Code be abated. If the 3437
Commissioner finds that the property is or previously was being 3438
used for a purpose that would disqualify it for such exemption, 3439
the Tax Commissioner shall issue an order denying the 3440
application with respect to such tax years where the 3441
Commissioner finds that disqualifying use. 3442

(F) If the Tax Commissioner finds that the property is not 3443
entitled to the tax exemption and abatement of unpaid taxes, 3444
penalties, and interest for any of the years for which the 3445
applicant claims an exemption or abatement, the Commissioner 3446
shall order the county treasurer of the county in which the 3447
property is located to collect all taxes, penalties, and 3448
interest on the property for those years as required by law. 3449

Section 7. (A) As used in this section, "qualified 3450
property" means real property that is owned by a county and 3451
satisfies the qualifications for tax exemption under the terms 3452
of section 5709.08 of the Revised Code. 3453

(B) Notwithstanding sections 5713.08, 5713.081, and 3454
5715.27 of the Revised Code, and without regard to any time or 3455
payment limitations under any section of the Revised Code, the 3456
owner of qualified property at any time within twelve months 3457
after the effective date of this section may file an application 3458
with the Tax Commissioner requesting that the qualified property 3459
be placed on the exempt list and that all unpaid taxes, 3460
penalties, and interest on the property be abated, including 3461
taxes, penalties, and interest that have become a lien prior to 3462
the date of acquisition of title to the property by the 3463
qualified property's owner. 3464

(C) The application shall be made on the form prescribed 3465
by the Tax Commissioner under section 5715.27 of the Revised 3466
Code and shall list the name of the county in which the property 3467
is located; the property's legal description, taxable value, and 3468
the amount, in dollars, of the unpaid taxes, penalties, and 3469
interest; the date of acquisition of title to the property; the 3470
use of the property during any time that the unpaid taxes 3471
accrued; and any other information required by the Commissioner. 3472

The county auditor shall supply the required information upon 3473
request of the applicant. 3474

(D) Upon request of the applicant, the county treasurer 3475
shall determine if all taxes, penalties, and interest that 3476
became a lien on the qualified property before it was first used 3477
by the property's owner or a prior owner for an exempt purpose 3478
have been paid in full. If so, the county treasurer shall issue 3479
a certificate to the applicant stating that all such taxes, 3480
penalties, and interest have been paid in full. The applicant 3481
shall attach the county treasurer's certificate to the 3482
application filed with the Tax Commissioner under this section. 3483

(E) Upon receipt of an application, the Tax Commissioner 3484
shall determine if the qualified property meets the 3485
qualifications set forth in this section and if so shall issue 3486
an order directing that the property be placed on the exempt 3487
list of the county in which it is located and that all unpaid 3488
taxes, penalties, and interest for each year that the property 3489
met the qualifications for exemption described in section 3490
5709.08 or another section of the Revised Code be abated. If the 3491
Commissioner finds that the property is or previously was being 3492
used for a purpose that would disqualify it for such exemption, 3493
the Tax Commissioner shall issue an order denying the 3494
application with respect to such tax years where the 3495
Commissioner finds that disqualifying use. 3496

(F) If the Tax Commissioner finds that the property is not 3497
entitled to the tax exemption and abatement of unpaid taxes, 3498
penalties, and interest for any of the years for which the 3499
applicant claims an exemption or abatement, the Commissioner 3500
shall order the county treasurer of the county in which the 3501
property is located to collect all taxes, penalties, and 3502

interest on the property for those years as required by law.	3503
Section 8. Section 109.73 of the Revised Code is presented	3504
in this act as a composite of the section as amended by S.B. 16,	3505
S.B. 131, and S.B. 288, all of the 134th General Assembly. The	3506
General Assembly, applying the principle stated in division (B)	3507
of section 1.52 of the Revised Code that amendments are to be	3508
harmonized if reasonably capable of simultaneous operation,	3509
finds that the composite is the resulting version of the section	3510
in effect prior to the effective date of the section as	3511
presented in this act.	3512